

# A G E N D A

## JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

May 26, 2009

7:00 P.M.

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**A. ROLL CALL**

**B. MOMENT OF SILENCE**

**C. PLEDGE OF ALLEGIANCE** – Nakayla Washington, a second-grade student at Clara Byrd Baker Elementary School

**D. PRESENTATIONS**

1. Status Update of the King William Reservoir Project - Brian Ramaley, Director, Newport News Waterworks
2. Regional Water Supply Plan - John Carlock, Hampton Roads Planning District Commission

**E. PUBLIC COMMENT**

**F. HIGHWAY MATTERS**

**G. CONSENT CALENDAR**

1. Minutes – May 12, 2009, Regular Meeting
2. Resolution Supporting the Historic Triangle Civil War Committee for the Commemoration of the Virginia Sesquicentennial of the American Civil War  
*Supports County's Strategic Pathway 2.h - support lifelong learning opportunities*

**H. PUBLIC HEARINGS**

1. Case No. SUP-0010-2009. Michael J. Hipple Contractor's Office.
2. Ordinance to amend and reordain Chapter 20, Taxation, Section 20-13.2, Personal Property Tax on Motor Vehicles and Trailers; Proration Thereof, and Section 20-13.9, Motor Vehicle, Trailer, and Semitrailer Registration
3. Consideration of a resolution to condemn 90-square-foot drainage easement - 5501 Centerville Road  
*Supports County's Strategic Pathway 3.d - invest in the capital project needs of the community*

**I. BOARD CONSIDERATIONS**

1. Shaping Our Shores Master Plan  
*Supports County's Strategic Pathway 3.d - invest in the capital project needs of the community; 3e - match community growth with the ability to maintain a high quality natural and man-made environment; & 4.g - preserve greenspace*

- CONTINUED -

2. Parks and Recreation Master Plan

*Supports County's Strategic Pathway 3.d - invest in the capital project needs of the community*

**J. PUBLIC COMMENT**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

**L. BOARD REQUESTS AND DIRECTIVES**

**M. CLOSED SESSION**

1. Consideration of a personnel matter, the appointment of individuals to County boards and/or commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

- a. Board of Zoning Appeals
- b. Colonial Community Services Board
- c. Economic Development Authority

**N. ADJOURNMENT to 7 p.m. on June 9, 2009**

052609bos\_age

# REGIONAL WATER SUPPLY PLAN

## Presented To:

James City County Board of Supervisors

## Presented By:

John M. Carlock, AICP

Deputy Executive Director

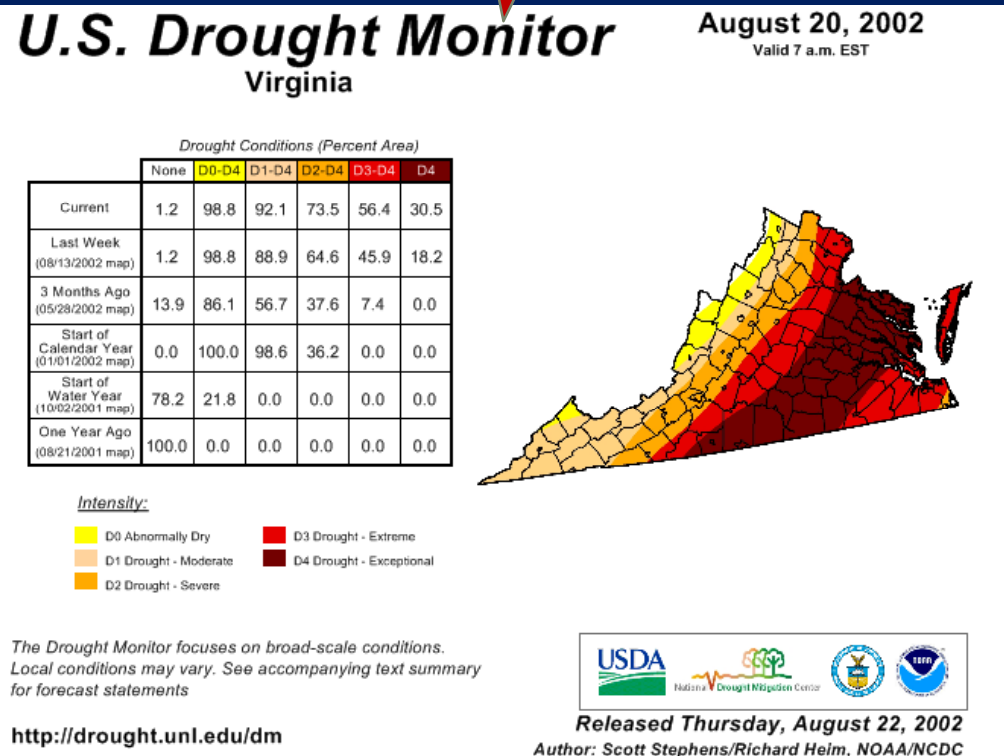
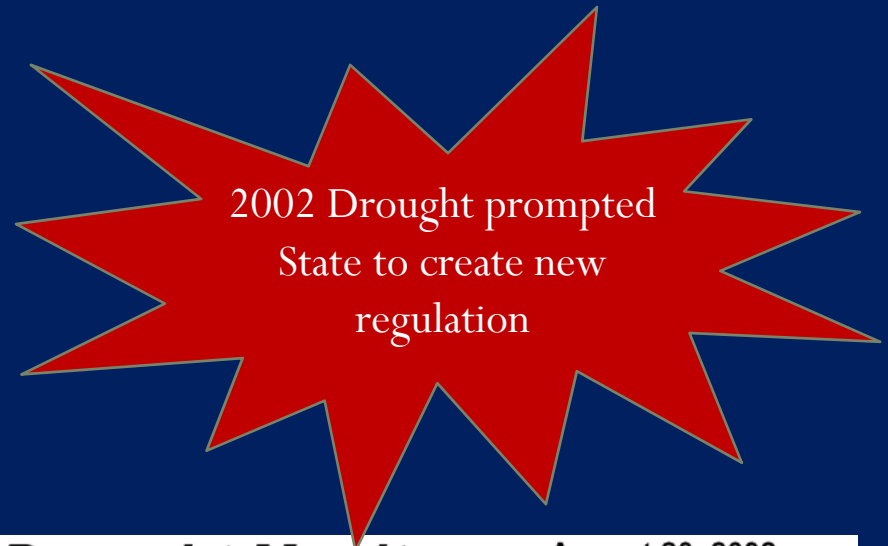
Hampton Roads Planning District Commission

May 26, 2009



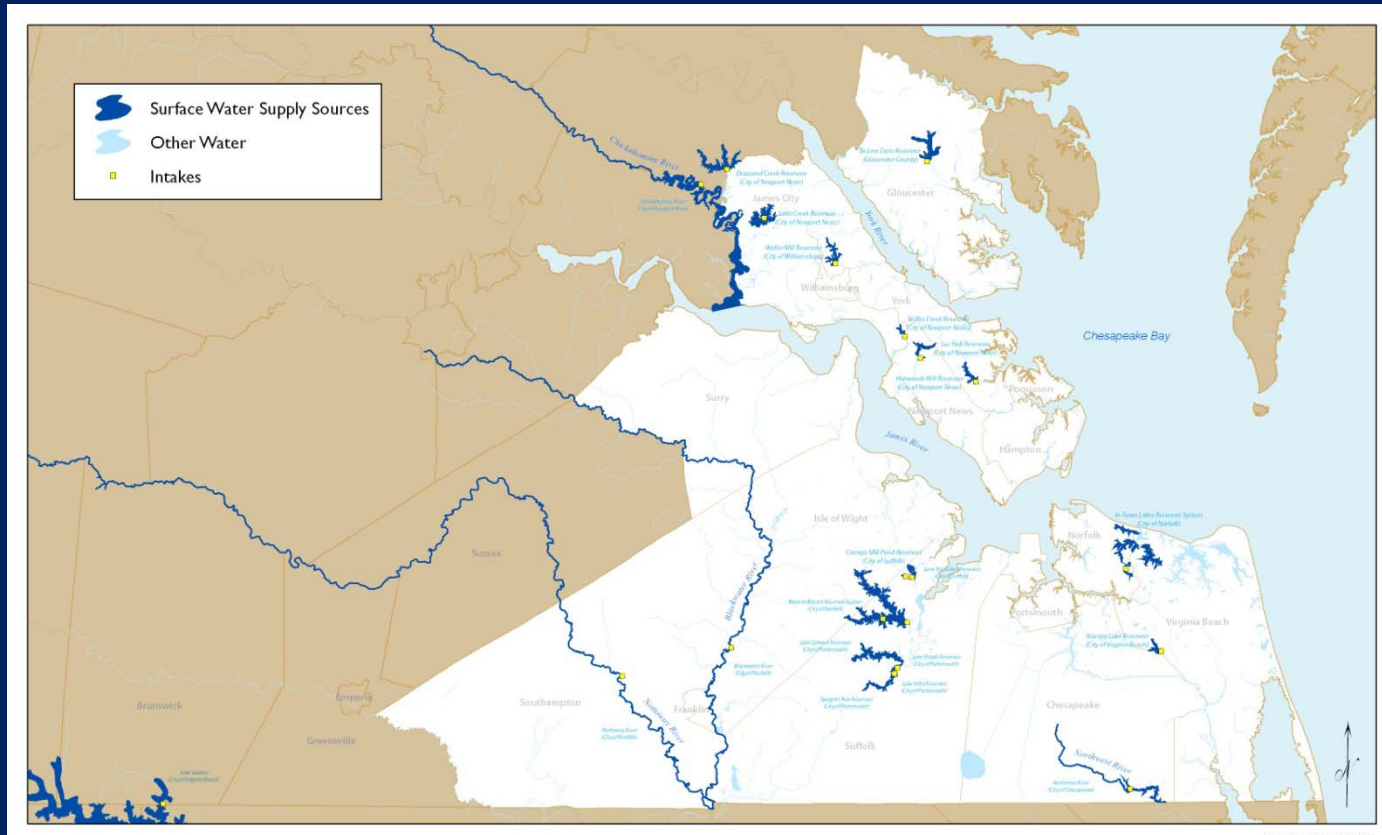
# BACKGROUND

- Local and Regional Water Supply Planning Regulation (9 VAC 25-780)
  - ❖ Ensure adequate and safe drinking water for all citizens.
  - ❖ Encourage, promote and protect all beneficial uses of Virginia's natural resources.
  - ❖ Encourage, promote and develop incentives for alternative water sources.
- Deadline: November 2, 2011 for regional plans



# MEMORANDUM OF AGREEMENT

- Regional Water Supply Plan includes 16 cities and counties plus 8 towns in Isle of Wight, Southampton, and Surry Counties.



- Cost of the plan is apportioned among 16 localities based on their share of metered water accounts in the region.

# COMPREHENSIVE SCOPE

- Requires comprehensive water supply plan covering all water uses in locality or region.
- Most local water supply plans only address public utility's service area.
- Potential impacts of plan on future groundwater and new surface water supply permits.
- State will integrate all local and regional plans into state water supply plan.



# STATUS OF PLAN

- Existing water sources and usage data has been collected. Narrative will be completed in June.

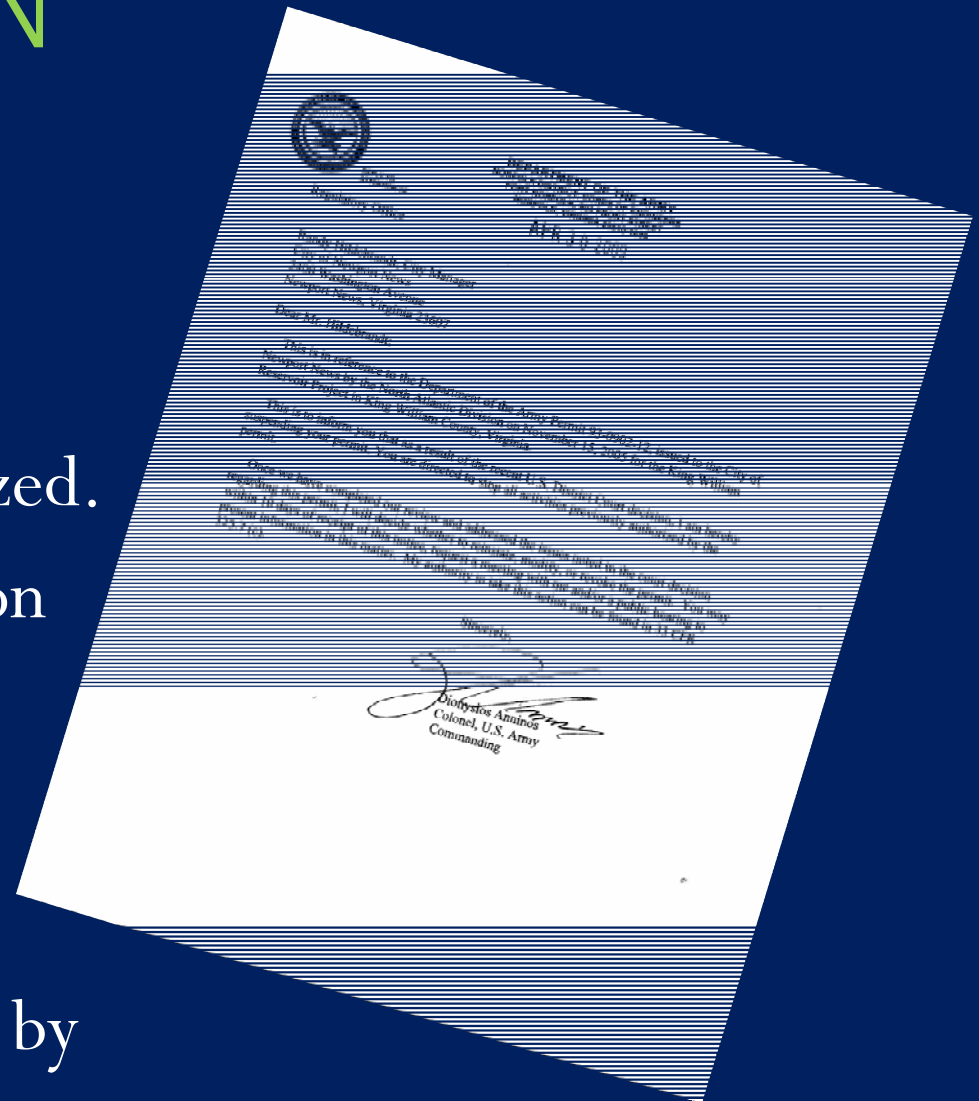
COMMUNITY WATER SYSTEMS (MUNICIPAL & PRIVATE) USING GROUND WATER (9 VAC 25-780-70 B)															
PWSID	Water System Name	VDH Permitted System Capacity (gpd)	Calculated VDH Permitted System Capacity (MGD)	INDIVIDUAL WELL DATA:									GROUNDWATER MANAGEMENT AREA WELLS		Notes or Comments  (This may include references to maps, data sources, data gaps, etc.)
				Well Name and ID #	Well Depth (feet)	Casing Depth (feet)	Screen Depth (Top & Bottom) or Water Zones	Well Diameter (inches)	Withdrawal Design Capacity: AVERAGE DAILY (gpd)	Withdrawal Design Capacity: AVERAGE DAILY (MGD)	Withdrawal Design Capacity: MAXIMUM DAILY (gpd)	Withdrawal Design Capacity: MAXIMUM DAILY (MGD)	DEQ Permitted Monthly Withdrawal (MGD)	DEQ Permitted Annual Withdrawal (MGD)	
3830850 (GW0037700)	City of Williamsburg	500,000	0.65	City of Williamsburg #1 199-00037	505	500	260-280, 420-430, 460-500	10	650,000	0.65	790,000	0.79	0.72	0.71	VDH permit for the Williamsburg system is 6.15 MGD. The groundwater system accounts for 0.65 MGD. DEQ has indicated that it will be requiring the City to close off the upper screen.
3199380 (GW0030100)	Lightfoot - York Co / Newport News	480,000	0.48	Lightfoot 1 199-00088	318	NA	280-305	8	296,800	0.30	NI	0.00	0.85	0.56	
				Lightfoot 2 199-00089	310	NA	264-294	8		0.00	NI	0.00			
				Banbury 3 199-00095	283	NA	215-265	4	120,000	0.12	NI	0.00	0.10	0.07	
				Road 1 (Replaced Skimino 1) 199-00108	285	NA	271-296	4		0.00	NI	0.00			
3095805 (GW103000)	STONEHOUSE-James City Service Authority			Stonehouse W-25-1 #147-256	241	216	206-231	8	9,298	0.01	93,600	0.09	1.12	0.72	Missing VDH permitted capacity
				Stonehouse W-26-1 #147-250	780	766	404-442, 566-598, 673-683, 700-716, 722-734, 744-756	14, 10	76,231	0.08	835,200	0.84			
				Stonehouse W-26-2 #147-249	275	231	226-251	8	9,493	0.01	100,800	0.10			
3095317 (GW0031100)	GLENWOOD ACRES-James City Service Authority	15,600.00	0.02	Glenwood Acres W-30 #147-199	272	251	251-271	6	6,176	0.01	50,400	0.05	0.01	0.01	





# STATUS OF PLAN

- Initial water demand projections and supply calculations have been developed but not finalized.
- Alternatives Analysis is on hold.
- Draft of plan completed by the end of 2009.



# FUTURE NEEDS

- Demand Projections based on:
  - ❖ Population projections: REMI model for sub-regions and/or local government projections.
  - ❖ Per capita water use factor based on past 5 years usage.
- Water Supply
  - ❖ Localities provide safe yield estimates for surface water sources.
  - ❖ Groundwater supplies are limited by DEQ withdrawal permits.
  - ❖ Limitations based on infrastructure will be identified and considered in alternatives section.

# ALTERNATIVES

- Initial projections estimate demand on the Peninsula (not including Gloucester County) will exceed supply before 2050 (timeframe of this study).
- Alternatives:
  - ❖ New Surface Water Source (King William or others)
  - ❖ Desalination of surface water or groundwater
  - ❖ Reuse projects to reduce demand for potable water
  - ❖ Infrastructure improvements to increase yield
  - ❖ Conservation: Industrial customers and Residential use

# NEXT STEPS

- Finalize demand projections and compare with existing supplies.
- Investigate alternatives to meet future water needs.

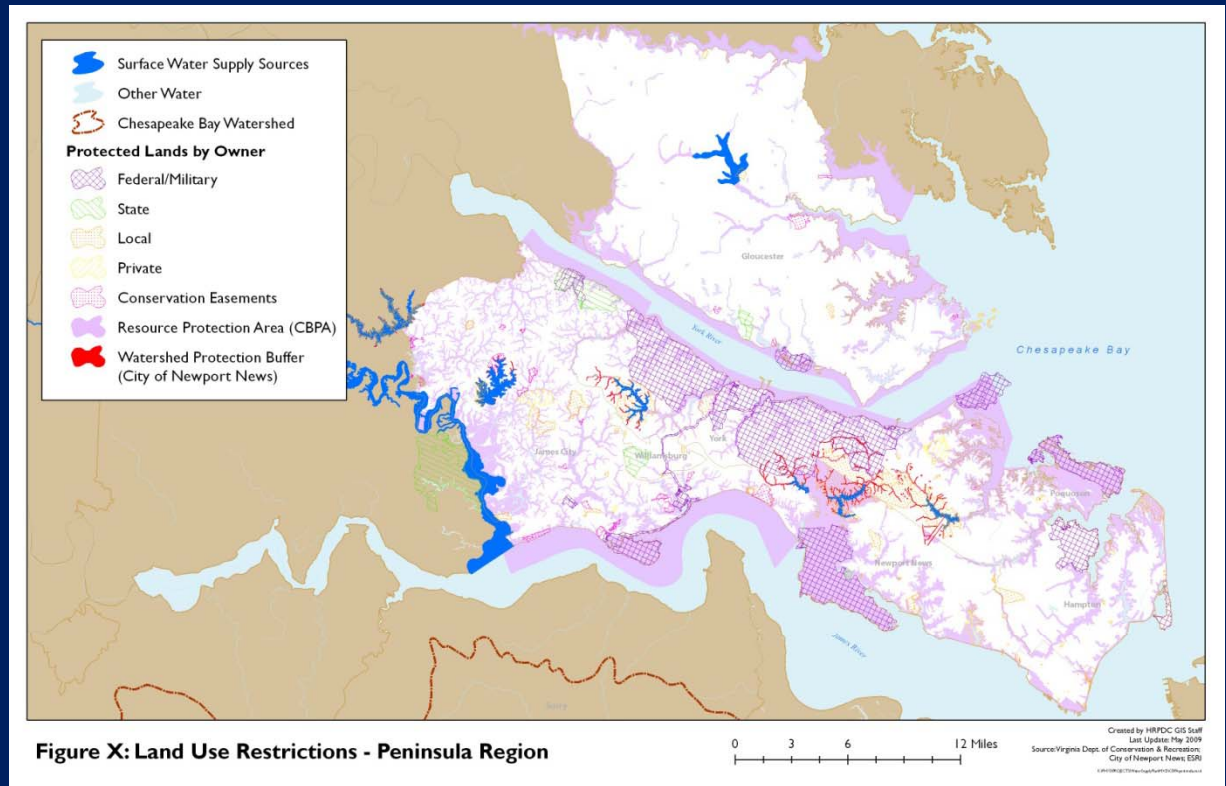


Figure X: Land Use Restrictions - Peninsula Region

- Localities review and approve regional plan.
- Public hearings held in each locality or regionally.
- State Water Control Board ultimately approves plan.

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 12TH DAY OF MAY 2009, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. CALL TO ORDER**

**B. ROLL CALL**

James G. Kennedy, Chairman, Stonehouse District  
Mary Jones, Vice Chair, Berkeley District  
Bruce C. Goodson, Roberts District  
James O. Icenhour, Jr., Powhatan District  
John J. McGlennon, Jamestown District

Sanford B. Wanner, County Administrator  
Leo P. Rogers, County Attorney

**C. PLEDGE OF ALLEGIANCE** - Kyle Wade, a fifth-grade student at Matoaka Elementary School, led the Board and citizens in the Pledge of Allegiance.

**D. PRESENTATION – May Is Bike Month**

Mr. Leo Robinson from Williamsburg Area Bicyclists presented a resolution from Governor Timothy Kaine recognizing May as Bike Month.

Mr. Kennedy presented Mr. Robinson with a resolution from the Board declaring May as Bike Month in James City County.

**E. PUBLIC COMMENT**

1. Mr. Donald Hart, President of Virginia Association of Counties (VACo), presented greetings from the Accomack County Board of Supervisors and the VACo Board of Directors. He spoke on cooperation among Virginia counties and his goals as VACo President. He discussed his interaction with the General Assembly and noted that no unfunded mandates went through this year with his efforts. He highlighted his goals of eliminating unfunded mandates from the General Assembly and equity between counties, cities, and towns. He requested the Board's participation and communication with VACo. He stated his support for James City County and thanked the Board for the opportunity to speak.

Mr. Goodson commended Mr. Hart for his efforts to visit each county in Virginia.

Mr. McGlennon thanked Mr. Hart for his efforts to improve a bill on septic systems in the General Assembly.

2. Mr. Jack Fowler, 109 Wilderness Lane, commented on Little Creek Reservoir and problems with its boat ramp and pier construction and upkeep preventing citizens from fishing at the park.
3. Mr. Randy O'Neill, 109 Sheffield Road, commented on public health and his efforts to prevent childhood obesity through his mobile cycling program at schools.
4. Mr. Ed Oyer, 139 Indian Circle, commented on pollution of waterways with pharmaceuticals; budgets for FY 2010 and 2011; a credit for \$750,000 to James City County for the Ware Creek Reservoir project investment from the City of Newport News; employees driving County vehicles to their homes; and remarks of a Planning Commission member in May.

#### **F. CONSENT CALENDAR**

Mr. Goodson made a motion to adopt the Consent Calendar with the amendment to the April 28, 2009, Regular Meeting Minutes.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

1. Minutes –
  - a. April 20, 2009, Budget Work Session
  - b. April 22, 2009, Budget Work Session
  - c. April 28, 2009, Regular Meeting
2. May is Bike Month

### **RESOLUTION**

#### **MAY IS BIKE MONTH**

WHEREAS, the bicycle is a viable and environmentally sound form of transportation and an excellent form of recreation; and

WHEREAS, today, millions of Americans will experience the joys of bicycling during the month of May through educational programs, community events, or just getting out and going for a ride; and

WHEREAS, James City County offers many bicycling opportunities for transportation, recreation, and exercise through beautiful scenery, trails, parks; and its partnership with Williamsburg Area Bicyclists.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, does hereby recognize May 2009 as Bike Month in James City County, Virginia, and call this observance to the attention of its citizens.

3. Grant Award – Department of Criminal Justice Services – \$944 – Sheriff’s Office

**RESOLUTION**

GRANT AWARD – DEPARTMENT OF CRIMINAL JUSTICE SERVICES – \$994

WHEREAS, Williamsburg/James City County Sheriff’s Office has been awarded a Law Enforcement Terrorism Prevention Program grant by the Virginia Department of Criminal Justice Services for \$994; and

WHEREAS, grant funds will be used to assist with the purchase of a Walk-Through Metal Detector for the main entrance of the courthouse; and

WHEREAS, the grant requires \$99 in matching funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants fund:

Revenue:

Byrne Justice Grant	\$895
Sheriff – Local Match	<u>99</u>
	<u>\$994</u>

Expenditure:

Sheriff – Capital Equipment	<u>\$994</u>
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4. Grant Award – Junior Woman’s Club of Williamsburg – \$400 – Fire Department

**RESOLUTION**

GRANT AWARD – JUNIOR WOMAN’S CLUB OF WILLIAMSBURG – \$400 –

FIRE DEPARTMENT

WHEREAS, the Junior Woman’s Club of Williamsburg has awarded the James City County Fire Department a grant in the amount of \$400; and

WHEREAS, the funds will be used to purchase educational and safety supplies for the Department’s fire education programs; and

WHEREAS, the grant requires no match.



NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants fund:

Revenue:

Junior Woman’s Club – Fire Education                    \$400

Expenditure:

Junior Woman’s Club – Fire Education                    \$400

- 5.     Grant Award – Junior Woman’s Club of Williamsburg – \$217.50 – Police Department

**RESOLUTION**

**GRANT AWARD – JUNIOR WOMAN’S CLUB OF WILLIAMSBURG – \$217.50 –**

**POLICE DEPARTMENT**

WHEREAS, the Junior Woman’s Club of Williamsburg has awarded the James City County Police Department a grant in the amount of \$217.50; and

WHEREAS, the funds will be used to purchase educational and safety supplies for the Bike Rodeos; and

WHEREAS, the grant requires no match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants fund:

Revenue:

Junior Woman’s Club – Bike Rodeos                    \$217.50

Expenditure:

Junior Woman’s Club – Bike Rodeos                    \$217.50

**G.     PUBLIC HEARINGS**

- 1.     Case No. SUP-0006-2009. Sale and Repairs of Lawn Equipment/Garden Supplies

Mr. Jose Ribeiro, Senior Planner, stated Mr. Nick Cianelli has applied for an SUP to allow for the construction of lawn equipment and garden supplies sales and repair shop at 8231 Richmond Road. The sale and repair of lawn equipment (recently approved by the Board of Supervisors as an amendment to the zoning ordinance - ZO-004-2008) and sale of plant and garden supplies are specially permitted uses in the A-1, General Agriculture, zoning district. The applicant is proposing to remove the existing dilapidated residential

structure, accessory buildings, and litter from the property, and redevelop the eastern end of the parcel with a single-story 7,500-square-foot structure, 2,100 square feet of outdoor lawn equipment display area, and 19 parking spaces.

Staff found the application to be generally consistent with surrounding land uses, the Land Use policies of the Comprehensive Plan, and the Comprehensive Plan Land Use Map designation.

At its meeting on April 1, 2009, the Planning Commission recommended approval by a vote of 7-0.

Staff recommended approval of the resolution.

Mr. Goodson asked why the underground storage language was amended.

Mr. Ribeiro stated there was concern for underground fuel storage.

Mr. Goodson stated that modern underground storage tanks were more reliable than in the past. He asked if it was staff's policy not to recommend.

Mr. Ribeiro stated that the Planning Commission recommended the language.

Mr. Goodson asked why the Planning Commission requested the language, since it was not based on policy.

Mr. Ribeiro stated the Planning Commission recommended the underground storage be addressed to prevent underground contaminants being stored in the tanks. He stated staff drafted the language to allow the applicant to store water as intended and still address the concerns of the Planning Commission.

Mr. Goodson stated that he did not understand why the underground storage was being restricted and that modern underground fuel storage tanks are built in a manner that made them less faulty than in the past.

Mr. Kennedy recognized Ms. Deborah Kratter and Chairman Rich Krapf in attendance from the Planning Commission.

Mr. Kennedy opened the public hearing.

1. Ms. Carla Brittle, James City County Business Facilitator, stated she was assisting with this application and that during the presentation to the Planning Commission, the Commissioners requested that this restriction be placed in the SUP. She noted that the applicant had no intention of storing any substance other than water in the tanks, but did not want to place the tanks aboveground for aesthetic reasons.

Ms. Kratter stated the recommendation for the restriction came from Commissioner Chris Henderson and Commissioner Jack Fraley with concerns that anything could be put into the ground that could leak or cause pollution. She stated that modern technology was not discussed and that the applicant did not have an interest in fuel storage in the tanks. She stated the Planning Commission endorsed the language.

Mr. Goodson stated the Shell station at New Town had underground storage tanks. He stated that he did not want to add restrictions that may deter future applications without a study or full understanding of the issue.

Ms. Kratter stated no study was done and that the applicant had no intention of storing anything other than water. She said there was concern that if there was not controlled storage, it could become a problem in the future. She stated there was no objection to the proposed language by the applicant.

As no one else wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. Icenhour asked about Condition No. 13, Commencement of Use, with concern about how to determine when the use of the property commenced. He stated there was no specific point that could be monitored, such as a site plan approval or certificate of occupancy.

Mr. Rogers stated that the SUP was allowing the lawn equipment repair and sales and that when that operation began, the use of the property would have commenced.

Mr. Icenhour clarified that the shop had to be open for business within 36 months or the SUP became voided.

Mr. Murphy stated that was correct and noted that the condition was more restrictive than other conditions, such as dealing with a site plan approval or certificate of occupancy.

Mr. Goodson stated he was opposed to setting a precedent of interjecting language restricting a use without a study or evaluation. He stated that he felt it was bad public policy to add the condition restricting the underground storage to this application.

Mr. McGlennon stated that this instance involved an SUP for a use that would not be permitted without legislative approval. He stated the application of this restriction was isolated and would not be applied across the board.

Mr. Goodson stated the Board has not stated a policy on this issue and that he had no background information to make that decision.

Mr. McGlennon stated that a policy would be useful if there could be a decision that would be universally applicable. He stated that in this case, the property owner had no desire to store any kind of fuel or chemicals underground, that it was reasonable under this particular use, and that there may be other issues to be examined. He stated a future landowner may wish to store fuel in the underground tanks, and that change would come before the Board to explore that possibility.

Mr. Goodson stated that he did not want this language to be construed as guidance from the Board on future applications.

Mr. McGlennon stated he felt that it was not a policy decision, but rather acceptance of the concerns of the Planning Commission.

Mr. Icenhour stated that he felt that if an application came forward, this type of use should not be automatically excluded. He asked that the Board weigh the risks and benefits of each application. He stated he did not wish to have a policy and would rather examine each case one by one.

Mr. Kennedy asked that Mr. Rogers clarify policy on underground storage tanks.

Mr. Rogers stated there were many Federal and State regulations on what would be required in order to move forward with underground storage tanks.

Mr. Kennedy asked if the applicant was agreeable to the SUP as it stands.

Mr. Cianelli stated he was agreeable as he was not planning to use underground tanks other than water storage. He stated he did not wish to set precedence and explained that he did not want to place his water cisterns aboveground for water storage due to aesthetics, which caused the language change.

Mr. Goodson asked if staff or the Planning Commission brought up the issue of underground storage.

Mr. Cianelli stated that a Planning Commissioner brought up the concern with the underground storage, but he met with staff to be allowed to place the rain barrels underground for water storage.

Mr. Kennedy stated that the applicant was content with the current language.

Mr. Goodson made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

## **RESOLUTION**

### **CASE NO. SUP-0006-2009. SALE/REPAIR OF LAWN EQUIPMENT AND GARDEN SUPPLIES**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Nick Cianelli has applied on behalf of Toano NCC Investments, LLC for an SUP to allow for the construction of a lawn equipment sale and repair and retail sales of plant and garden supplies shop on a parcel of land zoned A-1, General Agricultural, District; and

WHEREAS, the proposed development is shown on a plan prepared by LandMark Design Group, dated April 29, 2009 (the "Master Plan") and entitled "Binding Master Plan for Property located at 8231 Richmond Road, James City County, Virginia"; and

WHEREAS, the property is located at 8231 Richmond Road and can be further identified as James City County Real Estate Tax Map Parcel No. 1240100007; and

WHEREAS, the Planning Commission, following its public hearing on April 1, 2009, voted 7-0 to recommend approval of this application; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2003 Comprehensive Plan Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0006-2009 as described herein with the following conditions:

1. **Master Plan:** This SUP shall be valid for the construction of an approximately 7,500-square-foot lawn equipment sale and repair and plant and garden supplies store (with major repair limited to a fully enclosed building) on the property located at 8231 Richmond Road and further identified as James City County Tax Parcel No. 1240100007

(the "Property"). Development and use of the Property shall be generally in accordance with and bound by the Master Plan entitled "Binding Master Plan for property located at 8231 Richmond Road, James City County, Virginia," prepared by LandMark Design Group, and dated April 29, 2009 ("the Master Plan"), with such minor changes as the Development Review Committee determines and does not change the basic concept or character of the development.

2. **Spill Prevention and Control Plan:** Prior to final site plan approval, a spill prevention and control plan which addresses chemical handling shall be submitted to the Environmental Director and the Fire Chief for their respective review and approval. Such plan shall include, but is not limited to, fertilizers, pesticides, herbicides, diesel fueling container solvents, oil, and gasoline. Underground storage tanks shall only be permitted for the catchment, storage, and reuse of stormwater. Storage tanks for any other use or intention shall not be permitted on the property.
3. **BMP Discharge:** Overflows from the proposed SWM/BMP facility shall be discharged to an adequate and well-defined channel in accordance with State Minimum Standard #19. If no receiving channel is present at the SWM/BMP outfall, offsite downstream improvements and/or drainage easements may be necessary on adjacent parcels. If no surface discharge is proposed, a full geotechnical investigation is required to show that the underlying soils beneath the trench are permeable and will infiltrate all increased runoff from the proposed development. Said SWM/BMP facility design must be reviewed and approved by the Environmental Director prior to final site plan approval.
4. **Water Conservation:** The Owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority ("JCSA") prior to final site plan approval. The standards may include, but are not limited to, such water conservation measures as limitations on the installation and use of irrigations systems and irrigations wells, the use of approved landscaping materials including the use of drought-tolerant plants, warm-season grasses, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The proposed rain barrels and/or cisterns shown on the Master Plan shall be included in the Agreement.
5. **Irrigation:** In the design phase, the developer and designing engineer shall take into consideration the design of stormwater systems that can be used to collect stormwater for outdoor water use for the entire development. Only surface water collected from surface water impoundments (the "Impoundments") may be used for irrigating common areas on the Property (the "Irrigation"). In no circumstances shall the JCSA public water supply be used for irrigation, except as otherwise provided by this condition. If the Owner demonstrates, to the satisfaction and approval of the General Manager of the JCSA, through drainage area studies and irrigation water budgets that the Impoundments cannot provide sufficient water for all Irrigation, the General Manager of the JCSA may, in writing, approve shallow (less than 100 feet) irrigation wells to supplement the water provided by the Impoundments.
6. **Exterior Lighting:** All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee, which indicates no glare outside the Property lines. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning

Director prior to final site plan approval. “Glare” shall be defined as more than 0.1 foot-candle at the property line or any direct view of the lighting source from the adjoining properties.

7. **Fencing**: Information on the style, height, colors, and material of any proposed fencing, which is either designed for security and/or ornamental purposes, shall be submitted to the Planning Director or his designee for review and approval prior to final site plan approval.
8. **Dumpsters/HVAC Units**: All dumpsters and heating and cooling units visible from any public street or adjoining property shall be screened from view with landscaping or fencing approved by the Planning Director or his designee prior to final site plan approval.
9. **Architectural Review**: Prior to final site plan approval, architectural elevations, building materials, and colors shall be submitted to the Planning Director or his designee for review and approval. The purpose of this condition is to ensure that the proposed structure on the Property is uniform and compatible in terms of design, scale, materials, and colors with other structures in the Village of Toano.
10. **Landscaping**: A landscaping plan for the entire Property shall be prepared in accordance with the requirements set forth by the zoning ordinance and approved by the Planning Director prior to final site plan approval for this project. The landscaping plan shall include, at a minimum, the preservation of existing plantings along the perimeter of the Property and along the 50-foot-wide community character corridor buffer. Further, plantings at 125 percent of the required size of plantings shall be required as means to supplement the existing vegetation within the 50-foot-wide community character corridor.
11. **Outdoor Display Areas**: No equipment or garden materials and supplies for sale on the Property shall be displayed in areas which are not specifically indicated on the Master Plan as “outdoor display area”.
12. **Junk Removal**: All junk shall be removed from the Property prior to issuance of any Certificate of Occupancy. For purposes of this SUP condition, “junk” shall mean trash, wood, lumber, concrete, construction debris, pallets, tires, waste, junked, dismantled, or wrecked automobiles, inoperable equipment, machinery, or appliances, construction vehicles or tractors, or parts thereof, iron, steel, and other old scrap ferrous or nonferrous material. This junk shall be properly disposed of in a State-approved facility, or moved into an appropriate offsite enclosed storage building or facility. The James City County Zoning Administrator shall verify, in writing, and prior to issuance of any Certificate of Occupancy, that all junk has been properly removed from the Property. No new junk (as defined by this condition) may be brought to or stored on the Property.
13. **Commencement of Use**: Use of the property as described in this SUP shall commence within 36 months from the date of approval of this SUP, or this permit shall be void.
14. **Severance Clause**: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

2. Case No. SUP-0007-2009. Relocation of the Tewning Road Convenience Center

Mr. Jason Purse, Senior Planner, stated Mr. Larry Foster has applied on behalf of the James City Service Authority (JCSA) for an SUP to allow for the relocation of the existing convenience center on Tewning Road. The parcels are a combined 12.33 acres and are zoned PL, Public Lands. The parcels are located at 105 and 149 Tewning Road, further identified on James City County Real Estate Tax Map Nos. 3910100003 and 3910100156. Currently, the convenience center is located at 105 Tewning Road. The center consists of refuse containers for the disposal of materials from newspaper, cardboard, glass, and aluminum to waste motor oil, antifreeze, and kitchen grease. The relocated convenience center will continue to collect the same products. Because of a potential for future expansion of this parcel for a JCSA building, the convenience center is being relocated to the far side of the existing parking lot on the adjacent parcel, 149 Tewning Road. This relocation will not result in any substantial change in size of the convenience center; it merely provides additional flexibility for future JCSA needs.

Staff found the proposal, with conditions, to be generally consistent with surrounding land uses, the Land Use policies of the Comprehensive Plan, and the Comprehensive Plan Land Use Map designation. The relocated convenience center is similar in size and has similar impacts on surrounding property as the existing center. Additionally, with the new conditions, the impacts created by this relocation will be better mitigated than those present with the existing service.

At its meeting on April 1, 2009, the Planning Commission recommended approval of the application by a vote of 7-0.

Staff recommended approval of the resolution.

Mr. McGlennon asked what service improvements will result from the location change.

Mr. Purse stated that the services will not change, but will provide additional flexibility for pulling in and out of the facility.

Mr. McGlennon asked if the adjacent property owners would be affected by household recycling program and other high-volume recycling days.

Mr. Foster stated some of the uses and disposal bins within the center are to make movement by citizens easier. He stated that household chemical recycling will be accommodated and that he felt the redesigned traffic flow will work better than what currently exists. He stated that it would still be a busy time, but it would be more efficient.

Mr. Kennedy opened the public hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

**RESOLUTION**

**CASE NO. SUP-0007-2009. RELOCATION OF THE TEWNING ROAD**

**CONVENIENCE CENTER**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Larry Foster, on behalf of the James City Service Authority, has applied for an SUP to allow for the relocation of the existing convenience center on Tewning Road; and

WHEREAS, the subject parcels may be identified as James City County Real Estate Tax Map Parcel Nos. 3910100003 and 3910100156. The 12.33-acre parcels are zoned PL, Public Land, and are located at 105 and 149 Tewning Road; and

WHEREAS, the proposed development is shown on a Master Plan, titled "Relocation of the Convenience Center at Tewning Road," prepared by AES, and dated February 12, 2009; and

WHEREAS, the Planning Commission of James City County, following its public hearing on April 1, 2009, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0007-2009 with the following conditions:

1. This SUP shall be valid for the operation of the Tewning Road Convenience Center and accessory uses thereto as shown on the Master Plan titled "Relocation of the Convenience Center at Tewning Road" dated February 12, 2009 (the "Master Plan"). The convenience center shall be located at 105 and 149 Tewning Road and can be further identified as James City County Real Estate Tax Map Nos. 3910100003 and 3910100156 (the "Properties"). Development of the Properties shall be generally in accordance with the Master Plan as determined by the Director of Planning. Minor changes may be permitted by the Development Review Committee (DRC), as long as they do not change the basic concept or character of the development.
2. The SUP shall be valid for the operation of the convenience center within the fenced area, as shown and identified on the Master Plan as "relocated convenience center".
3. Should a new exterior site or building lighting be installed for the operation of the convenience center, such fixtures shall have recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from any side. Fixtures, which are horizontally mounted on poles, shall not exceed 15 feet in height. No glare defined as 0.1 footcandle or higher, shall extend outside the property lines.
4. The convenience center shall be developed in a manner that maximizes the buffering effects of trees. Tree clearing shall be limited to the minimum necessary to accommodate the convenience center and related facilities. A screening and landscaping plan shall be provided for approval by the Director of Planning or his designee prior to final site plan approval.



5. The fencing used to enclose the area shall be vinyl-coated and shall be dark green or black in color. Any fencing shall be reviewed and approved by the Director of Planning prior to final site plan approval.
6. The proposed dry, extended-detention Best Management Practice (BMP) shall be designed and constructed in accordance with the design parameters for BMP C-07 as contained in the approved New Town Master Stormwater Plan dated September 17, 2004, with the revision date of December 2, 2004.
7. The design of the BMP shall be approved by the Director of the Environmental Division. An additional component shall be incorporated into the design of the proposed BMP to successfully capture and contain spills or contaminated runoff of the anticipated materials to be dropped off at the proposed convenience center site. This additional measure shall prevent, to the greatest extent practicable, these materials from entering the downstream tributaries while assisting in the containment and proper disposal of any spilled materials.
8. If construction has not commenced on this project within 36 months from the issuance of the SUP, the SUP shall become void. Construction shall be defined as securing permits for land disturbance.
9. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Case No. ZO-0003-2006. Zoning Ordinance Amendment – Outlet Mall Parking

Ms. Leanne Reidenbach, Senior Planner, stated on January 13, 2009, the Board of Supervisors directed staff to amend the Parking Ordinance to address how parking was defined for retail space, which was not defined as to whether the calculation was based on gross or retail area. She stated in past practice, staff has allowed reductions for non-retail space for outlet malls and that the ordinance was amended to clarify this practice.

She stated that at its March 11, 2009, meeting, the Policy Committee voted to approve the ordinance amendment.

At its meeting on April 1, 2009, the Planning Commission voted 6-1 to recommend approval of the ordinance amendment.

She stated that since the Planning Commission meeting, staff has revised the definition of an outlet mall and the amended language was presented to the Board.

Staff recommended approval of the ordinance as amended.

Mr. Icenhour thanked Ms. Reidenbach for her efforts on this ordinance amendment. He stated that he wished for greater clarity in this ordinance and how much interpretation is involved in determining the retail square footage of the buildings. He stated he believed that the developer would produce a number and staff would need to verify that number. He asked that this did not create additional workload for staff to determine parking requirements.

Mr. Murphy stated that he did not believe this amendment would create significant additional review

time.

Mr. Icenhour asked if there was a significant difference between lowering the number based on gross square footage and what the ordinance proposed.

Mr. Murphy stated that the proposed amendment is consistent with how it has been previously applied, so the change would not cause an issue.

Mr. Kennedy opened the public hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. Icenhour made a motion to adopt the ordinance.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

4. Case No. ZO-0005-2008. Zoning Ordinance Amendment – Prohibition of Vehicle Sales in Certain Circumstances

Ms. Christy Parrish, Acting Zoning Administrator, stated on January 13, 2009, the Board of Supervisors passed an initiating resolution directing Development Management staff to pursue prohibiting the parking of vehicles for sale on property not occupied by or legally titled to the owner or an immediate family member. She said that currently, there was no prohibition on parking vehicles for sale on lots, vacant or otherwise, in the County as long as the vehicle owner was compliant with State Code regulations and the location of the vehicles was not in conjunction with other unpermitted vehicle services. Ms. Parrish stated that if approved, provisions would be added to Article 2, Division 2 of the James City County Zoning Ordinance and that the sale of more than five motor vehicles in Virginia within any 12 consecutive months would qualify an individual as a motor vehicle dealer per the Virginia Code and would require licensure by the State Motor Vehicle Dealer Board. She said an individual who sells more than five motor vehicles within any 12 consecutive months without first obtaining a dealer license is known as a “curbstoner,” who typically sell vehicles on vacant lots with high visibility from a well-traveled right-of way. She said this practice has increasingly become an enforcement issue in James City County detracting from the appearance of the community and in some cases, creating a safety issue when acceptable site distances are reduced or obstructed by vehicles parked for sale. Ms. Parrish stated that the Zoning Ordinance amendment was developed by staff at the request of the Board of Supervisors to resolve outstanding issues and to address safety concerns and preserve the character of the community.

Ms. Parrish stated the proposal aimed to codify new enforcement practices that address the issue of curbstoning and the change added language outlining instances when parking vehicles for sale or rent would be permitted or prohibited. She stated the amendment allowed an owner, occupant, or a member of the owner/occupant’s immediate family living on the property to sell or rent one vehicle, with a maximum of three vehicles, within the same calendar year and noted the property must be occupied and the vehicle must be properly licensed and tagged. She said the ordinance did not allow the sale or rent of a vehicle from any undeveloped property or property not owned or occupied by the seller or renter of such vehicle.

On March 11, 2009, the Policy Committee of the James City County Planning Commission, by a vote of 3-1, recommended approval of this amendment with changes that addressed location of vehicles for sale in rural areas, the number of vehicles for sale both at a given time, and as an annual maximum (two vehicles may be displayed for sale with a maximum of five in the same calendar year), and the sale of vehicles from vacant or unoccupied parcels by the property owner or immediate family.

On April 1, 2009, the Planning Commission discussed and recommended approval of the proposed ordinance revision by a vote of 5-2 with the following changes: 1) include rental of vehicles throughout the ordinance; 2) add clarification that a boat for sale with a trailer shall be considered as one vehicle; and 3) limit one vehicle to be parked or displayed "for sale or rent" at any time and not more than three vehicles may be parked or displayed "for sale or rent" on any property within the same calendar year.

Ms. Parrish stated that an alternate ordinance amendment was provided at the request of a Supervisor to enforce the same number of vehicle sales that the State law allows.

Mr. Goodson stated that he requested the change to allow for the same limits as provided by the State of vehicle sales. He stated that he did not want to limit James City County residents more so than other citizens of the State.

Mr. Kennedy opened the public hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. Goodson made a motion to adopt the ordinance with the alternate language indicating a sale of no more than two vehicles at a time and no more than five vehicles per year.

Ms. Jones stated her support for the alternate language to concur with the State regulations. She stated that the alternate language would address the issue of multiple vehicles being parked for sale on vacant lots.

Mr. Kennedy stated he could support this language and that there were challenges posed by vehicle sales on vacant lots with multiple vehicles for sale, including unsafe parking areas for individuals looking at the cars.

Mr. McGlennon stated he could support the amendments. He asked how the quantity would be determined when multiple vehicles were up for sale.

Ms. Parrish stated that the number of vehicles displayed would determine the quantity.

Mr. Goodson stated it would be difficult for staff to keep track of the number of vehicles.

Mr. Rogers stated that it would be tracked through the DMV records.

Mr. McGlennon asked if it would need to be proven that the vehicle would be for sale at the property. He stated he understood the enforcement on the vacant lots, but that he felt it would be difficult to enforce otherwise.

Mr. Kennedy stated that it becomes problematic since oftentimes property owners and business owners do not know that the vehicles are being displayed for sale on vacant lots.

Mr. Goodson stated he felt the Planning Commission's recommendation exceeded what the Board requested and that he did not believe that vehicle limits had been discussed.

Mr. Kennedy stated he believed the vehicle limits were discussed.

Mr. Icenhour stated he could support the resolution. He stated that on News Road near Rite Aid, there was a collection of vehicles for sale for over six months. He asked Mr. Rogers if this ordinance would have any impact on this property.

Mr. Rogers stated that he knew the property and that the trailer on the property was owned by the property owner. He stated that the owner could remove the "For Sale" sign and could be in compliance.

Ms. Jones clarified that the owner could store the vehicles indefinitely.

Mr. Rogers clarified that it could be stored, but not sold on the property.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

5. Case No. ZO-0006-2008. Zoning Ordinance Amendment – Review of Signage Illumination in Community Character Corridor and Community Character Area

Ms. Christy Parrish, Acting Zoning Administrator, stated that on January 13, 2009, the Board of Supervisors passed an initiating resolution directing Development Management staff to pursue a review of the criteria for illumination of the gas-pricing component of freestanding signage in Community Character Areas and along Community Character Corridors (CCC). She said that review of the current ordinance attempted to address changes in technology relevant to electronic signs as utilized by the fuel sales industry in the County and as displayed at the BP convenience store in Five Forks. She said staff contacted several similar localities in order to develop material for comparison, including the Counties of York, Gloucester, Hanover, and Albemarle and the Cities of Newport News, Hampton, Chesapeake, Virginia Beach, Suffolk, and Poquoson. She noted that all localities surveyed permitted the signage in at least some districts.

At the Policy Committee meeting on March 11, 2009, concern was expressed over the intensity of illumination, the style and composition of the construction of the sign, and the amount of light that trespassed across the property line. Requirements have been included that limit the style of the sign structure to monument and the material to brick or stone. Also, staff added a requirement that light cannot trespass across the property line. In instances where there is a question of light trespass, the Zoning Administrator or designee may request an iso-footcandle diagram to verify that no light crosses the property line. Additionally, there was discussion regarding potential limitations on the color of the bulbs to red or white.

The Policy Committee of the Planning Commission recommended approval of the proposed amendment by a vote of 4-0 with above changes.

Staff incorporated changes that address the intensity of the illumination and the style and composition of the construction of the sign. However, staff has suggested that additional consideration be given to the limitations on color of the bulbs to red or white, as suggested, which may have the potential to mimic the appearance of emergency services lighting in some circumstances. She stated that limitations on lighting color are required to be related to public health, safety, and welfare in order to be regulated by ordinance.

On April 1, 2009, the Planning Commission discussed and unanimously recommended denial of the proposed ordinance revision by a vote of 7-0. Concerns stated by the Planning Commission included 1) staff errors should not be addressed with ordinance changes; 2) regulation of colors must be limited only to concerns related to public health, safety, and welfare; and 3) preservation of the appearance of existing community character corridors.

Ms. Parrish stated that while staff recognized the Planning Commission's denial, staff has prepared a proposed ordinance change should the Board wish to adopt the amendment.

Ms. Parrish stated that Section 24-66 Definition was not properly advertised, so it would not be changed with this ordinance amendment. She stated that staff feels the change was minor and was not required at this time.

She stated that this clarification could be added during the Comprehensive Plan update.

She noted an alternate ordinance incorporating language that prohibits the numbers on the sign to be larger than one square foot and prohibits more than one price to be displayed using this type of lighting.

Mr. Goodson asked about the improper advertisement of the ordinance.

Ms. Parrish stated that the section with the definitions was not properly advertised, so it was not included with the current ordinance amendment.

Mr. Goodson stated that part of the ordinance could be changed by Board amendment if needed.

Mr. Rogers stated that Section 24-66 was not properly advertised, but could be updated during the upcoming Zoning Ordinance update. He stated this ordinance was a proposal and could be changed by the Board as needed.

Mr. McGlennon commented that only some districts in the surveyed localities permitted this lighting.

Ms. Parrish stated that was correct and some districts did not permit the lighting.

Mr. McGlennon asked if these types of signs were allowed in areas where a particular character was being preserved.

Ms. Parrish stated they were not.

Mr. Kennedy opened the public hearing.

1. Ms. Deborah Kratter, Planning Commission Member, stated that the primary concern of the Planning Commission was that the County could not restrict the colors to anything consistent with the Community Corridor. She stated that based on health or safety, objectionable colors could be used. She stated the main concern was not being able to narrow down a color scheme.

As no one else wished to speak to this matter, Mr. Kennedy closed the public hearing.

Mr. McGlennon made a motion to deny the ordinance amendment. He stated that the ordinance was being changed in this case because of an error in order to make the sign compliant. He stated that the owner should not have to bear the cost from addressing the mistake by staff and that allowing others to use this type of signage in a community character corridor would not be the best action.

Ms. Jones stated she had requested the amendment to the ordinance because she felt it was important to limit the size of the LED numbers and limit the display to one gas price. She stated that zoning ordinance amendments come from many perspectives, including mistakes. She stated that she recalled discussion about allowing for new technologies in signage. She stated she wished to maintain the Community Character Corridor and asked citizens in the area what they felt. She stated that most citizens in the area find this type of signage more attractive and more visible. She stated she appreciated the Planning Commission's input and that she was comfortable with the alternate language.

Mr. Icenhour stated he felt that the Planning Commission was giving a good recommendation and that a staff mistake should not warrant an ordinance change. He stated the business owner should not bear the responsibility, but he did not support changing the ordinance.

Mr. McGlennon stated that he understood the ordinance was crafted in a very narrow way, but it would be difficult for the Board to deny a business with a similar need and the ability to have a similar sign, which would diminish the preservation of the Community Character Corridor.

Ms. Jones stated that this ordinance was specific to gas stations and any future gas stations would come under review for color. She stated she did not have the same concern, but she felt it was important to reiterate that this ordinance applied only to gas station displays within Community Character Corridors. She stated there were limitations.

Mr. McGlennon asked if the other kind of signage would still be permitted.

Ms. Parrish stated that within a Community Character Corridor, the signage would have to be either backlit or with channel letters and the Planning Director would have to approve that portion of the sign.

Mr. Wanner called the roll on Mr. McGlennon's motion to deny.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, (2). NAY: Goodson, Jones, Kennedy 3).

The motion failed.

Mr. Goodson made a motion to adopt the alternate ordinance with the size limit of the signs. He stated he did not feel the Board was changing the ordinance to react to a specific case and that the case brought forward a problem with the sign ordinance to allow for updated technology.

Mr. McGlennon stated that the ordinance allows two types of lighting on one sign that creates an advantage.

Mr. Goodson stated many different lighting types were allowed.

Ms. Jones stated that the changes to the ordinance limit the size of the sign using the BP sign at Five Forks as an example, as the sign could not be larger than that particular sign. She stated the maximum size of the numbers would be one square foot and could not make up more than 50 percent of the sign.

On a roll call vote, the vote was: AYE: Goodson, Jones, Kennedy (3). NAY: McGlennon, Icenhour (2).

## **H. BOARD CONSIDERATIONS**

### **1. Comprehensive Agreement Contract Award – Design and Construction of a Police Department Building at Warhill – \$12,187,186**

Ms. Stephanie Luton, Purchasing and Management Services Director, introduced David Nice, President, David A. Nice Builders, Inc.; Anne Henry, Associate AIA, LEED AP; Architectural Designer Rancorn Wildman, Architects PLC; Bitty Miscavige, Project Manager/LEED Coordinator, David A. Nice Builders, Inc.; Shawn Gordon, PE, Capital Projects Coordinator; Emmett Harmon, Police Chief; and Scott Burg, Facilities Superintendent who were all involved in the project.

Ms. Luton explained that the PPEA Design-Build bid process allowed for a shorter time frame to take advantage of the favorable construction climate. She stated six design-build teams submitted proposals and a panel of staff members reviewed the proposals, ultimately selecting David A. Nice Builders. She stated that green building technology would be incorporated in design and construction.

She stated that the new Police building would be centrally located on Opportunity Way across from Warhill High School and near Thomas Nelson Community College's Historic Triangle Campus. She stated this would be the County's first Leadership in Energy & Environmental Design (LEED) project. She stated the goal was to obtain the Silver level of LEED construction. She stated proposed green measures in this building would be geothermal, energy-efficient appliances, water-saving, energy management system that monitors demand, and the site layout and floor plan would be designed with a focus on safety and withstanding natural disasters. She stated the linear footprint of the building provides ideal use of the property and greater visibility in front and staff security and safety in the fenced area in the rear of the parcel. She stated the floorplan presented a division of space for specific uses.

The FY 2009 Capital Improvement budget includes \$1,000,000 for the preliminary design and programming for this project. The remainder of the project budget will be financed through the proceeds of a bond sale that is expected to close in the first quarter of FY 2010. The Board's recently approved FY 2010 capital budget appropriated the proceeds of the bond sale to fund not only the construction of the police building but the renovation of the existing Law Enforcement Center for the Fire Department and the replacement of the roof at Fire Station 3. These projects will be bid separately.

Staff recommended approval of the resolution.

Ms. Jones commented that the visitor parking did not seem to be as accessible to the facility as she had expected.

Ms. Luton stated that one of the features of the building was a concern for force protection to protect the integrity of the structure. She stated one feature such as this would be a long berm or barrier in the front of the building to prevent penetration by a vehicle, for instance.

Ms. Henry stated that this was a schematic design and that there were ways to place the public parking to be closer to the building. She stated that the preliminary drawing of the site may be revised.

Mr. Icenhour stated that the resolution was for the contract award and asked what other legislative actions would be warranted by the project.

Ms. Luton stated that there would be additional legislative action due to the size of the building.

Mr. Gordon stated that there was an SUP requirement based on the square footage of the building.

Mr. Icenhour asked when to anticipate the SUP to come forward for approval.

Mr. Gordon stated that the design-build would allow ongoing site work and when the construction was to take place, the application would come back before the Board.

Mr. Icenhour stated the number of parking spaces inside the fence in the rear of the building was 176. He asked about the significant increase of parking spaces.

Chief Harmon stated that many squad cars would be parked there and certain staff members would have their personal vehicles there, as well as specialty vehicles. He stated there were 95 sworn officers that would have their vehicles there.

Mr. Kennedy asked the differences between the levels of LEED certification, as the building was aiming toward Silver-level certification.

Ms. Luton deferred to Ms. Henry.

Ms. Henry stated that a basic LEED certification was based on 100 credits, previously 60 credits to get the LEED certification. She noted that the three levels were achievement of a certain number of credits within the 100. She stated that the certification was based on a baseline energy savings in comparison to conventional construction. She stated that the geothermal heating and cooling system would ensure achievement of Silver-level certification, but the building could possibly qualify for gold.

Mr. Kennedy asked the pricing difference between the levels of certification.

Ms. Henry stated that at this time it was difficult to give a pricing level, but the main stormwater controls, site water control, green space preservation, control of thermal buildup on the site, light pollution, reuse of water and drought-resistant landscaping, water savings inside the building, but the biggest energy savings was with the energy modeling, which was a very sophisticated calculation. She stated the geographical orientation was used to determine how energy was used throughout the building in order to determine the design. She stated the energy modeling was determining orientation, placement, and materials of all the features of the building. She stated that the tools were there in order to produce a sustainable building.

Mr. Kennedy asked if this was the most LEED credits possible for the budget.

Ms. Henry stated there were many options to meeting the LEED credits, and the model would go through different options to determine the most efficient outcome and greatest value.

Mr. Kennedy stated he wished for the County to set a good example on green design for development.

Ms. Henry commended David Nice Builders and the energy consultants for their expertise.



Mr. McGlennon commented that he hoped to have a building that contributes aesthetically to the character of the community. He stated that the building should portray its purpose, but also incorporated artistic expression.

Ms. Henry stated that a central civic building required a level of dignity and integrity.

Mr. David Nice stated that the building had modules on the end to allow for expansion. He stated that his goal as a builder was to give as much square footage and energy efficiency and LEED certification for the budget. He reiterated that the building was designed to allow for future expansion.

Mr. Kennedy stated that he felt this project was long overdue and he believed in the reuse of the current facility. He stated he was pleased that a James City County builder was contracted for this project to benefit the County's economy and that examples of the quality of David Nice Builders could be found in the County.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

## **RESOLUTION**

### **COMPREHENSIVE AGREEMENT CONTRACT AWARD – DESIGN AND CONSTRUCTION**

#### **OF A POLICE DEPARTMENT BUILDING AT WARHILL – \$12,187,186**

WHEREAS, a Public-Private Education and Facilities and Infrastructure Act of 2002 (PPEA) Request for Proposals for the design and construction of a Police Department building at Warhill was advertised, six firms submitted proposals; and

WHEREAS, staff reviewed all proposals, interviewed four firms, and selected David A. Nice Builders, Inc. as the firm with the best proposal to meet the County's needs as presented in the Request for Proposals; and

WHEREAS, upon Board approval, staff is prepared to negotiate and execute a Comprehensive Agreement contract with David A. Nice Builders, Inc. for a not-to-exceed amount of \$12,187,186 for the Design and Construction of a Police Department Building at Warhill.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the negotiation and award of a Comprehensive Agreement contract for the design and construction of a Police Department building at Warhill in a not-to-exceed amount of \$12,187,186 to David A. Nice Builders, Inc.

2. **Resolution of the Board of Supervisors of James City County, Virginia, Declaring its Intention to Reimburse the Cost of Certain Expenditures**

Mr. John McDonald, Financial and Management Services Manager, stated that the Board has adopted a capital budget that included debt financing for several projects including the Police Building, Community Gymnasium, and the Jamestown High School Multiuse Space. Mr. McDonald stated that this resolution

would allow money to be used from a future bond issue for the County to reimburse itself for investment in these projects. He stated the resolution allowed flexibility for Davenport and Company and the County's financial advisors to determine prime financing timing. He noted that the resolution was prepared by the County's bond counsel as a response to the Federal Department of the Treasury's regulation on tax exempt financing. He stated the resolution did not commit the Board to taking on the projects, but it would be applicable should the County choose to build the projects and borrow money. He stated the Board has approved similar resolutions in the past.

Mr. McDonald recommended approval of the resolution.

Ms. Jones made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

## **RESOLUTION**

### **RESOLUTION OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA,**

### **DECLARING ITS INTENTION TO REIMBURSE THE COST OF CERTAIN EXPENDITURES**

WHEREAS, James City County, Virginia (the "County") has made or will make, directly or indirectly, expenditures (the "Expenditures") in connection with (i) the acquisition, construction and equipping of a police station building, (ii) the renovation of the current Law Enforcement Center for use by Fire Administration and Training and (iii) HVAC and roof work at Fire Station No. 3 (clauses (i)-(iii) being collectively referred to as the "Police Building Project"); and

WHEREAS, the County has made or will make, directly or indirectly, Expenditures in connection with the design and construction of a multi-use space at Jamestown High School and a community gymnasium at the Warhill District Park, collectively referred to as the "Gymnasiums"; and

WHEREAS, such Expenditures may be made directly by the County or indirectly through the Economic Development Authority of James City County, Virginia (the "Authority"); and

WHEREAS, the County or the Authority may determine that the funds advanced and to be advanced to pay Expenditures will be reimbursed to the County or the Authority from the proceeds of one or more tax-exempt obligations to be issued by the County or by the Authority, on behalf of the County (the "Indebtedness").

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, (the "board") that:

1. The Board hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the County intends to reimburse itself or the Authority with the proceeds of Indebtedness for Expenditures made on, after or within 60 days prior to the date hereof with respect to the Police Building Project and/or the Gymnasiums, except that Expenditures made more than 60 days prior to the date hereof may be reimbursed as to certain de minimis or preliminary expenditures described in Treasury

Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.

2. The maximum principal amount of Indebtedness expected to be issued for the Police Building Project is \$15,000,000 and for the Gymnasiums is \$7,700,000.
3. This resolution shall take effect immediately upon its adoption.

#### **I. PUBLIC COMMENT**

1. Mr. Ed Oyer, 139, Indian Circle, commented on remarks from the Planning Commission on May 7, 2009, and noted that his neighborhood was community-oriented and highlighted community service of his family and neighbors.

2. Mr. Jack Fowler 109 Wilderness Lane, commented on Little Creek Reservoir and showed photos of what he felt were insufficient facilities for boating and fishing.

#### **J. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner stated the James City Service Authority received credit for investment in Ware Creek Reservoir project in response to citizen comment. He noted that County, Federal, and State offices would be closed on May 25, 2009, in observance of Memorial Day. He stated that when the Board completed its business, it should recess to May 26, 2009, 3 p.m. for a presentation on the 2010 census, followed by a work session at 4 p.m. and a regular meeting at 7 p.m. He stated that the Board needed to hold a Closed Session pursuant to Section 2.2-2711(A)(1) of the Code of Virginia for the consideration of a personnel matter. He noted in response to Mr. Oyer's comments that the County had a take-home vehicle policy that had recently undergone an in-depth study. Mr. Wanner stated he could provide that information to the Board.

#### **K. BOARD REQUESTS AND DIRECTIVES - None**

#### **L. CLOSED SESSION**

Mr. Goodson made a motion to go into Closed Session pursuant to Section 2.2-2711(A)(1) of the Code of Virginia for the consideration of a personnel matter.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

At 9:08 p.m. Mr. Kennedy recessed the Board into Closed Session.

At 9:55 p.m., Mr. McGlennon made a motion to adopt the Closed Session resolution.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

**RESOLUTION**

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1), of the Code of Virginia, to consider a personnel matter.

**M. RECESS** to 3 p.m. on May 26, 2009.

Mr. Goodson made a motion to recess.

On a roll call vote, the vote was: AYE: Goodson, Jones, McGlennon, Icenhour, Kennedy (5). NAY: (0).

At 9:56 p.m., Mr. Kennedy recessed the Board to 3 p.m. on May 26, 2009.

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Sanford B. Wanner  
Clerk to the Board

051209bos\_min

MEMORANDUM

DATE: May 26, 2009

TO: The Board of Supervisors

FROM: Sanford B. Wanner, County Administrator

SUBJECT: Resolution Supporting the Historic Triangle Civil War Committee for the Commemoration of the Virginia Sesquicentennial of the American Civil War

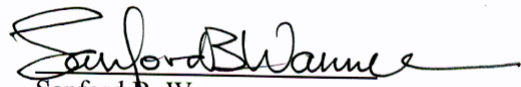
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The Virginia Sesquicentennial of the American Civil War Commission (the Commission) was created by the General Assembly of the Commonwealth of Virginia in 2006 in order to oversee the commemoration of the 150th anniversary of the American Civil War in the State. The Commission has requested each locality in Virginia to form a local Civil War Sesquicentennial Committee (Civil War Committee) to assist the Commission with its mission and signature events. The Civil War Committee will orchestrate and promote events at the local level.

As part of America's Historic Triangle, James City County wishes to collaborate with the County of York and the City of Williamsburg for the commemoration. The three jurisdictions of America's Historic Triangle (the jurisdictions) wish to name the Historic Triangle Collaborative (the Collaborative), with the Greater Williamsburg Chamber and Tourism Alliance (the Alliance) providing staff support to the Collaborative, as the Historic Triangle Civil War Committee in accordance with the Commission's request.

The Historic Triangle Collaborative is composed of the executive leadership of the three Jurisdictions, the Alliance, the College of William & Mary, Colonial Williamsburg Foundation, Jamestown/Yorktown Foundation, and Busch Properties, all of which are major stakeholders in the Williamsburg area. The Civil War Committee will also involve other interested parties in the commemorative activities, including the Civil War Trails Program, the National Park Service, the Williamsburg Civil War Roundtable, and other local Civil War organizations in the Hampton Roads and the greater Richmond areas.

I recommend adoption of the attached resolution which supports the formation of the proposed Historic Triangle Civil War Committee and outlines its principal activities for the commemoration of the sesquicentennial of the American Civil War in Virginia.

  
Sanford B. Wanner

SBW/nb  
CivilWarComm\_mem

Attachment

## RESOLUTION

### RESOLUTION SUPPORTING THE HISTORIC TRIANGLE CIVIL WAR COMMITTEE FOR

### THE COMMEMORATION OF THE VIRGINIA SESQUICENTENNIAL OF THE

### AMERICAN CIVIL WAR

- WHEREAS, the Virginia Sesquicentennial of the American Civil War Commission (the Commission) was created by the General Assembly of the Commonwealth of Virginia in 2006 for the purpose of guiding the commemoration of the 150th anniversary of the American Civil War in Virginia; and
- WHEREAS, the Commission has requested each locality in Virginia to form a local Civil War Sesquicentennial Committee (Civil War Committee) to assist the Commission with its mission and signature events; and to plan, promote, and coordinate commemorative tours, events, and other activities at the local level; and
- WHEREAS, the Counties of James City and York, and the City of Williamsburg (the Jurisdictions), known jointly as “America’s Historic Triangle,” wish to coordinate their commemorative efforts; and
- WHEREAS, the Jurisdictions wish to name the Historic Triangle Collaborative (the Collaborative), with the Greater Williamsburg Chamber and Tourism Alliance (the Alliance) providing staff support to the Collaborative, as the Historic Triangle Civil War Committee; and
- WHEREAS, the Collaborative is composed of the executive leadership of the three Jurisdictions, the Alliance, the College of William and Mary, Colonial Williamsburg Foundation, Jamestown/Yorktown Foundation, and Busch Properties; and
- WHEREAS, the Collaborative and Alliance, acting as the Civil War Committee, will involve other interested parties in their work, including the Civil War Trails Program, the National Park Service, the Williamsburg Civil War Roundtable, and other local civil war committees in Hampton Roads and the greater Richmond areas; for such purposes as:
- Preserving and interpreting civil war sites and documentation in the Historic Triangle, notably those associated with the 1862 Peninsula Campaign.
  - Creating educational tours, programs, and materials which tell the story of the Civil War in the Historic Triangle.
  - Promoting visitation to the Historic Triangle and developing long-term tourism assets and identity.
  - Building community understanding and cultural discovery through appreciation of our shared history as Americans.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby supports the Virginia Sesquicentennial of the American Civil War Commission in its work to commemorate the 150th Anniversary of the American Civil War in Virginia and joins with its neighboring jurisdictions to support the organizational principles and statement of purpose for the Historic Triangle Civil War Committee as set forth herein to guide the commemoration in America's Historic Triangle.

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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of May, 2009.

CivilWarComm\_res

**SPECIAL USE PERMIT-0010-2009. Michael J. Hipple Contractor’s Office  
Staff Report for the May 26, 2009, Board of Supervisors Public Hearing**

*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**PUBLIC HEARINGS**

**Building F Board Room; County Government Complex**

Planning Commission:

May 6, 2009, 6:30 p.m.

Board of Supervisors:

May 26, 2009, 7:00 p.m.

**SUMMARY FACTS**

Applicant:

Mr. Michael J. Hipple

Land Owner:

Mr. Michael J. Hipple

Proposal:

To allow for the continued operation of a contractor’s office and shed, with associated parking area and two rental residential units. Contractors’ warehouses, sheds, and offices are specially permitted uses in the A-1, General Agricultural, zoning district.

Location:

7426, 7424, and 7428 Richmond Road (Route 60)

Tax Map/Parcel Nos.:

2320200003, 2320200003A, and 2320200002, respectively

Parcel Size:

0.215 acres, 0.239 acres, and 0.241 acres respectively; (0.695 acres total)

Zoning:

A-1, General Agricultural

Comprehensive Plan:

Low Density Residential

Primary Service Area:

Inside

**STAFF RECOMMENDATION**

This proposal is generally consistent with the Comprehensive Plan Land Use Map designation for the subject parcel and is generally compatible with surrounding land uses and zoning. Based on its analysis, staff recommends that the Board of Supervisors approve this application with the Special Use Permit (SUP) conditions listed at the end of this staff report.

Staff Contact:

David W. German

Phone: 253-6685

**PLANNING COMMISSION RECOMMENDATION**

On May 6, 2009, the Planning Commission voted 7-0 to recommend approval of this application to the Board of Supervisors.

**Proposed Changes Made Since Planning Commission Meeting**

The Planning Commission was concerned about possible confusion in using the word “impoundments” in Condition #6 recommended in this staff report, as the term is often applied by the Environmental Division in a different manner than it was being used in the condition. The phrase “collection devices, (such as cisterns, rain barrels, etc.)” has been substituted for the word “impoundments” to add better clarity to this condition.

**PROJECT DESCRIPTION**



Mr. Michael J. Hipple has applied for an SUP to allow for the continued operation of a contractor's office and storage shed, with an associated parking area on the subject lots located at 7426, 7424, and 7428 Richmond Road (Route 60). The subject property is zoned A-1, General Agriculture, and is designated Low Density Residential on the James City County 2003 Comprehensive Plan Map.

There are three lots included in this application, which are collectively listed at 0.695 acres in the County's Real Estate Assessment Records. Two of the lots have structures built upon them. The first of these, 7424 Richmond Road, abuts the road right-of-way and contains a two-story brick residence, approximately 2,000 square feet in size. The second lot, 7426 Richmond Road, contains a one-story aluminum-sided residence of approximately 750 square feet in size and a garage building of approximately 1,600 square feet in size. The third lot, 7428 Richmond Road, contains no buildings and is predominantly a grassy area used for the parking of vehicles and small work trailers. The three lots are generally level and contain no Resource Protection Area (RPA) or riparian areas. There are large mature trees along the rear (northeastern) boundary of the 7428 and 7426 lots located on the adjacent Bradshaw property. Mature trees are also located along the northwestern side of the 7428 lot, which effectively screen it from adjacent properties to the northwest. Wooden privacy fences at the front boundary of the 7426 and 7428 lots screen these lots from the 7424 lot and from Richmond Road. There is also a wooden privacy fence along the southeastern side of the 7424 and 7426 lots, as well as the northeastern side of the 7426 lot.

The garage building, approximately 1,600 square feet in size on the 7426 lot, contains a small-office space accessed by a pedestrian door and two garage bays to either side of the office space, which are each accessed by a roll-up vehicular door. The applicant proposes to use this structure as the contractor's office and shed. The applicant further proposes to use the two residential houses on the 7424 and 7426 lots as rental living units that would typically be rented to workers hired by the contractor. The two houses would be used for residential purposes only; no office, storage, or other business uses would be housed in them. The 7428 lot would continue to be used only for the parking of work vehicles, as needed. The applicant is proposing no outdoor storage of materials, and any outdoor storage of ladders, tools, or vehicles will be kept behind and screened by the privacy fences. No maintenance of equipment or vehicles will take place outside. The application proposes no additional buildings or structures or the removal of any existing vegetation.

Currently, a large portion of all three lots is covered in densely packed gravel. The applicant has agreed to substantially reduce this impervious cover and to replace it with grass, mulch, or other pervious landscaping materials. Additionally, the applicant has agreed to plant trees and landscaping in front of the wooden fence that separates the 7424 lot from the 7426 lot to further screen the lots and to improve the appearance of the contractor's office from Richmond Road.

Mr. Hipple is intending to sell the three properties, contingent upon approval of this SUP application, to Buhl Electric Company, Inc. Mr. Hipple has discussed the conditions of the SUP with this intended buyer, and all parties are in agreement with the terms of the conditions.

## **PUBLIC IMPACTS**

### **Environmental**

Watershed: York River Watershed

**Staff Comments:** The Environmental Division staff has reviewed the application and concurs with the effort to decrease the impervious coverage that currently exists on the three subject lots. The Environmental Division notes that a formal site plan, to be submitted if this SUP is approved, will ensure that proper buffers, erosion and sediment control measures, and stormwater management features are utilized on the site. Staff further notes that proposed Condition #8, which works to reduce the impervious surface of the project site, will significantly improve the site's stormwater handling characteristics.

### **Public Utilities**

This site is currently connected to the public water and sewer utilities of the James City Service Authority

(JCSA).

**Staff Comments:** As the site is already connected to JCSA’s infrastructure and is already in use as a contractor’s warehouse and two residential units, no additional impact would be expected with the approval of this SUP. Staff further notes that proposed Condition #5, which addresses water conservation, will help minimize any impact to the potable water supply.

**Transportation**

**Road Improvements:** This project proposes fewer than 100 vehicle trips per day and does not require a traffic study or specific road improvements.

**VDOT Comments:** VDOT staff has reviewed the application and has no objection to the proposed project. VDOT would typically require the construction of a commercial entrance for this type of application, but was willing to waive this requirement with the addition of a condition of the SUP prohibiting heavy truck traffic into and out of the site (proposed Condition #9).

**Staff Comments:** The proposal should have minimal traffic impacts, due to the low number of trips-per-day that this use currently, and potentially, generates. Most of the traffic coming to and leaving the site will be at off-peak hours at the very early part of the morning rush hour and before the evening rush hour. The recommended Conditions #10 and 11 help limit the traffic impact of the development by establishing when trips to and from the site will be made during hours of operation and by directly limiting the number of vehicles parked on the site. While hours of operation ending at 5 p.m. might suggest increased traffic being added to the evening rush hour, the typical contractor’s day ends in the 3 to 4 p.m. timeframe.

**COMPREHENSIVE PLAN**

**Land Use Map**

<p>Land Use Designation</p>	<p><b>Low Density Residential (Pages 120-121):</b> <i>“Low density areas are residential developments or land suitable for such developments with gross densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers, the number of dwelling units in the proposed development, and the degree to which the development is consistent with the Comprehensive Plan... Examples of acceptable land uses within this designation include single-family homes, duplexes, cluster housing, recreation areas, schools, churches, community oriented public facilities, and very limited commercial establishments.”</i></p> <p><b>Staff Comment:</b> The contractor’s warehouse represents a very limited commercial establishment that mimics the scale and intensity of the surrounding area. Further, the use, as currently configured, is in keeping with the Norge and Toano Community Character Area guidelines (pages 86-87). Examples of this include: 1) By maintaining the long-standing brick residence on the 7424 lot abutting Richmond Road, the architecture and building setbacks are kept in harmony with other Norge area buildings; 2) parking will be behind buildings or screened with wooden privacy fences; 3) A mix of uses for residential and commercial is being fostered with the current layout of the site.</p>
<p>Goals, strategies and actions</p>	<p><b>Strategy #1 (Page 138):</b> <i>Promote the use of land in a manner harmonious with other land uses and the environment.</i></p> <p><b>Staff Comment:</b> The proposed use has been in place for a long period of time and has demonstrated a harmonious existence with surrounding properties and land uses. This use should not adversely affect adjacent properties with undue sound or light pollution, vibration, dust, or other nuisances, and should result in a lesser impact to the environment than currently represented by the existing configuration due to the planned reduction in impervious area.</p>

## RECOMMENDATION

This proposal is generally consistent with the Comprehensive Plan Land Use Map designation for the subject parcel and is generally compatible with surrounding land uses and zoning. Based on its analysis, staff recommends that the Board of Supervisors approve this application with the SUP conditions listed below:

- 1) **Permitted Use:** This SUP shall be valid for the operation of a contractor's office/shed (limited to the existing 1,600-square-foot garage/office building), with associated parking area and two residential houses, (collectively, "the Project"). The Project shall be located at 7426, 7424, and 7428 Richmond Road, further identified as James City County Real Estate Tax Map Nos. 2320200003, 232020003A, and 2320200002, respectively (the "Property"). Development of the Property shall be generally in accordance with, and as depicted on, the drawing entitled "Binding Master Plan for Michael J. Hipple, Builder Contracting Office," prepared by LandTech Resources, Inc., and dated April 15, 2009, (hereafter referred to as "the Master Plan") as determined by the Planning Director of James City County ("Planning Director"). The two houses shall remain on the Property as shown on the Master Plan and be used only for residential purposes. Minor changes may be permitted by the Planning Director, as long as they do not change the basic concept or character of the development.
- 2) **Lighting:** Any exterior lighting installed on the Property shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height, as measured from the finished grade beneath them. Light spillage, defined as light intensity measured at 0.1 foot-candle or higher extending beyond any property line, shall be prohibited.
- 3) **Site Plan Approval:** A site plan shall be required for this project. Final approval of the site plan shall be obtained within 18 months of issuance of this SUP, or the SUP shall become void.
- 4) **Certificate of Occupancy:** A Permanent Certificate of Occupancy for the contractor's office/shed shall be obtained within 36 months of issuance of this SUP, or the SUP shall become void.
- 5) **Water Conservation:** The applicant shall be responsible for developing and enforcing water conservation standards for the Property, to be submitted to and approved by the James City Service Authority (JCSA), prior to final site plan approval. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought tolerant plants, warm-season grasses, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
- 6) **Irrigation:** As part of the site plan, the applicant shall include provision of stormwater systems that can be used to collect stormwater for outdoor water use for the entire development. Only surface water collected from surface water collection devices, such as cisterns, rain barrels, etc., may be used for irrigating common areas on the Property ("the Irrigation"). In no circumstances shall the JCSA public water supply be used for irrigation.
- 7) **JCSA Utility Easements:** Prior to final site plan approval, all JCSA utility easements located on the subject property shall be upgraded to meet current JCSA easement standards, as applicable. This shall be accomplished with an easement plat and/or deed deemed suitable by the JCSA and the County Attorney.
- 8) **Landscaping and Fencing:** The applicant shall install landscaping along the Richmond Road side of the wooden privacy fence that separates the 7424 and 7426 lots. A landscape plan for this area, subject to the review and approval of the Planning Director or his/her designee, shall be submitted for the

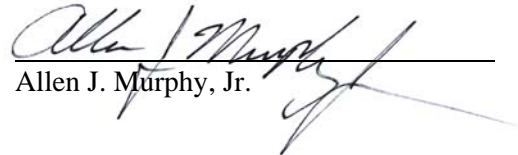
Property (in accordance with “Article II. Special Regulations Division 4. Landscaping” of the Zoning Ordinance). All privacy fencing shall be maintained in good repair as shown on the Master Plan. Requests to amend the landscaping and/or fencing on the Property may be permitted by the Planning Director or his/her designee, as long as they do not degrade the aesthetics or character of the development, or reduce the effectiveness of the screening being offered.

- 9) **Outdoor Storage:** No tools, materials, or equipment may be stored outside on-site, unless it is fully screened from the view of Richmond Road and adjacent properties by landscaping and/or fencing. This condition excludes work trailers, such as a mobile generator trailer.
- 10) **Impervious Area:** The impervious area of the Property shall be minimized to the greatest extent practical. If the impervious area of the Project site exceeds 10 percent, Low Impact Development (LID) or other suitable measures will be provided to mitigate the effects of stormwater runoff from the Property.
- 11) **Heavy Vehicles:** Traffic to and from the site related to the contractor’s office shall be limited to light-to medium-duty passenger vehicles, work trucks, and similar vehicles. Larger, heavier vehicles such as tractor-trailers, stake-bed trucks, dump trucks, and heavy construction vehicles (e.g., bulldozer, backhoe, etc.) are prohibited. Deliveries of supplies shall be made by small-box delivery trucks or smaller vehicles.
- 12) **Hours of Operation:** The hours of operation for the Project, including the loading or unloading of deliveries to/from the site, shall be limited to 6:30 a.m. to 5:00 p.m., Monday through Friday.
- 13) **Parking of Vehicles:** No more than ten vehicles associated with the contractor’s office, to include employee vehicles, work trucks, and work trailers, may be parked on the Property at any given time. While only four parking spaces have initially been shown on the Master Plan, the applicant may add up to six other stalls on the 7426 and/or 7428 lots with an approved site plan that properly addresses all stormwater management concerns. All vehicles associated with the contractor’s office shall be parked on the 7426 and 7428 lots and shall be screened from Richmond Road and from surrounding properties by privacy fencing, buildings, and/or landscaping. For purposes of this condition, vehicles belonging to tenants of the two rental houses, including employee vehicles, if applicable, shall not be counted against the ten-vehicle limitation. Interpretations of the counting of vehicles on the Property shall be at the sole discretion of the Zoning Administrator. Requests to amend this parking restriction shall be submitted to the Development Review Committee (“DRC”) of the Planning Commission in writing for consideration to approve or deny the request.
- 14) **Severance Clause:** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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David W. German

CONCUR:



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Allen J. Murphy, Jr.

DWG/gb  
Sup-1110-09Hipple.doc

ATTACHMENTS:

1. Planning Commission Meeting Minutes
2. Board of Supervisors Resolution
3. Location Map
4. Master Plan

## RESOLUTION

### CASE NO. SUP-0010-2009. MICHAEL J. HIPPLE CONTRACTOR'S OFFICE

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Michael J. Hipple has applied for an SUP to allow for a contractor's office, with associated parking area on a site comprised of three lots totaling approximately 1.03 acres and zoned A-1, General Agricultural; and

WHEREAS, the proposed site is shown on a binding Master Plan, entitled "Binding Master Plan for Michael J. Hipple, Builder Contracting Office," prepared by LandTech Resources, Inc., and dated April 15, 2009; and

WHEREAS, the three lots are located at 7426, 7424, and 7428 Richmond Road and may be further identified as James City County Real Estate Tax Map Parcel Nos. 2320200003, 2320200003A, and 2320200002; and

WHEREAS, the Planning Commission of James City County, following its public hearing on May 6, 2009, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0010-2009, as described herein with the following conditions:

- 1) **Permitted Use:** This SUP shall be valid for the operation of a contractor's office/shed (limited to the existing 1,600-square-foot garage/office building), with associated parking area and two residential houses, (collectively, "the Project"). The Project shall be located at 7426, 7424, and 7428 Richmond Road, further identified as James City County Real Estate Tax Map Nos. 2320200003, 2320200003A, and 2320200002, respectively (the "Property"). Development of the Property shall be generally in accordance with, and as depicted on, the drawing entitled "Binding Master Plan for Michael J. Hipple, Builder Contracting Office," prepared by LandTech Resources, Inc., and dated April 15, 2009, (hereafter referred to as "the Master Plan") as determined by the Planning Director of James City County ("Planning Director"). The two houses shall remain on the Property as shown on the Master Plan and be used only for residential purposes. Minor changes may be permitted by the Planning Director, as long as they do not change the basic concept or character of the development.
- 2) **Lighting:** Any exterior lighting installed on the Property shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height, as measured from the finished grade beneath them. Light spillage,

defined as light intensity measured at 0.1 foot-candle or higher extending beyond any property line, shall be prohibited.

- 3) **Site Plan Approval:** A site plan shall be required for this project. Final approval of the site plan shall be obtained within 18 months of issuance of this SUP, or the SUP shall become void.
- 4) **Certificate of Occupancy:** A Permanent Certificate of Occupancy for the contractor's office/shed shall be obtained within 36 months of issuance of this SUP, or the SUP shall become void.
- 5) **Water Conservation:** The applicant shall be responsible for developing and enforcing water conservation standards for the Property, to be submitted to and approved by the James City Service Authority (JCSA), prior to final site plan approval. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought tolerant plants, warm-season grasses, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
- 6) **Irrigation:** As part of the site plan, the applicant shall include provision of stormwater systems that can be used to collect stormwater for outdoor water use for the entire development. Only surface water collected from surface water collection devices, such as cisterns, rain barrels, etc., may be used for irrigating common areas on the Property ("the Irrigation"). In no circumstances shall the JCSA public water supply be used for irrigation.
- 7) **JCSA Utility Easements:** Prior to final site plan approval, all JCSA utility easements located on the subject property shall be upgraded to meet current JCSA easement standards, as applicable. This shall be accomplished with an easement plat and/or deed deemed suitable by the JCSA and the County Attorney.
- 8) **Landscaping and Fencing:** The applicant shall install landscaping along the Richmond Road side of the wooden privacy fence that separates the 7424 and 7426 lots. A landscape plan for this area, subject to the review and approval of the Planning Director or his/her designee, shall be submitted for the Property (in accordance with "Article II. Special Regulations Division 4. Landscaping" of the Zoning Ordinance). All privacy fencing shall be maintained in good repair as shown on the Master Plan. Requests to amend the landscaping and/or fencing on the Property may be permitted by the Planning Director or his/her designee, as long as they do not degrade the aesthetics or character of the development, or reduce the effectiveness of the screening being offered.
- 9) **Outdoor Storage:** No tools, materials, or equipment may be stored outside on-site, unless it is fully screened from the view of Richmond Road and adjacent properties by landscaping and/or fencing. This condition excludes work trailers, such as a mobile generator trailer.
- 10) **Impervious Area:** The impervious area of the Property shall be minimized to the greatest extent practical. If the impervious area of the Project site exceeds 10 percent, Low Impact Development (LID) or other suitable measures will be provided to mitigate the effects of stormwater runoff from the Property.

- 11) **Heavy Vehicles:** Traffic to and from the site related to the contractor's office shall be limited to light- to medium-duty passenger vehicles, work trucks, and similar vehicles. Larger, heavier vehicles such as tractor-trailers, stake-bed trucks, dump trucks, and heavy construction vehicles (e.g., bulldozer, backhoe, etc.) are prohibited. Deliveries of supplies shall be made by small-box delivery trucks or smaller vehicles.
- 12) **Hours of Operation:** The hours of operation for the Project, including the loading or unloading of deliveries to/from the site, shall be limited to 6:30 a.m. to 5:00 p.m., Monday through Friday.
- 13) **Parking of Vehicles:** No more than ten vehicles associated with the contractor's office, to include employee vehicles, work trucks, and work trailers, may be parked on the Property at any given time. While only four parking spaces have initially been shown on the Master Plan, the applicant may add up to six other stalls on the 7426 and/or 7428 lots with an approved site plan that properly addresses all stormwater management concerns. All vehicles associated with the contractor's office shall be parked on the 7426 and 7428 lots and shall be screened from Richmond Road and from surrounding properties by privacy fencing, buildings, and/or landscaping. For purposes of this condition, vehicles belonging to tenants of the two rental houses, including employee vehicles, if applicable, shall not be counted against the ten-vehicle limitation. Interpretations of the counting of vehicles on the Property shall be at the sole discretion of the Zoning Administrator. Requests to amend this parking restriction shall be submitted to the Development Review Committee ("DRC") of the Planning Commission in writing for consideration to approve or deny the request.
- 14) **Severance Clause:** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of May, 2009.

Sup-0010-09Hipple\_res



UNAPPROVED MINUTES FROM THE MAY 6, 2009 PLANNING  
COMMISSION MEETING

SUP-0010-2009 Michael J. Hipple Contractor's Warehouse

Mr. David German stated that Mr. Michael J. Hipple has applied for a Special Use Permit on a parcel zoned A-1, inside the PSA. The property is comprised of three lots at 7424, 7426, and 7428 Richmond Road, totaling 1.03 acres. The contractor's office and parking area will be confined to the rear parcels, furthest from Richmond Road. Two small homes on the properties will be used for residential purposes. The parcel is designated Low Density Residential on the Comprehensive Plan Land Use Map, which specifies that only limited commercial undertakings should be permitted. Compacted gravel, in conjunction with the structures onsite, makes the site 42% impervious. One condition of approval is a reduction of the impervious area (to approximately 23%) of the site. The project consists of a 1,600 square foot garage building, (which includes an office, and storage areas inside two garage bays), and associated parking areas both in front of and across from the garage. A six foot privacy fence and landscaping will help conceal one of the residential homes, the office/garage, and the parking area. Staff finds the proposal generally consistent with the Comp Plan, and with the surrounding zoning and neighboring land uses. The conditions recommended for approval with the SUP will further mitigate any impacts, especially those associated with stormwater management, parking, and irrigation. Staff recommends approval.

Mr. Fraley asked about the irrigation via stormwater collection provision, and the use of the term "impoundments" in the condition related to onsite stormwater collection devices.

Mr. German stated that the James City Service Authority instituted that condition, and that the term "impoundments" was being used to refer to rain barrels, cisterns, and similar water catchment devices.

Mr. Murphy stated that the impoundment application was a universal standard, whereas this particular development would not be subject to an impoundment plan for either stormwater or environmental concerns.

Mr. Bill Cain stated there were no traditional stormwater impoundments proposed for the project.

Mr. German stated all standard notification protocols were followed. No comments or concerns have been received by Staff. The current operation will not change with an SUP approval. The applicant and his neighbor to the rear (Mr. A. G. Bradshaw) had reached an agreement about the landscaping that would be installed along their mutual property line, and that this agreement was reflected in the recommended landscaping and fencing condition of approval.

Mr. Cain agreed that "impoundment" in this case referred to rain barrels and similar devices for the collection of rainwater runoff.

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Mr. Fraley stated he would prefer that more specific language be used in place of impoundment.

Mr. Murphy stated this condition had been applied to many previous proposals.

Mr. Krapf opened the public hearing.

Mr. Michael Hipple stated that he understood "impoundments" to mean rain barrels and similar devices. He said he added barrels to ensure the landscaping would not have to be watered, at JCSA's request. The rear buffers had been discussed with Mr. Bradshaw, who had requested a landscape buffer and the relocation of a fence.

Mr. Krapf closed the public hearing.

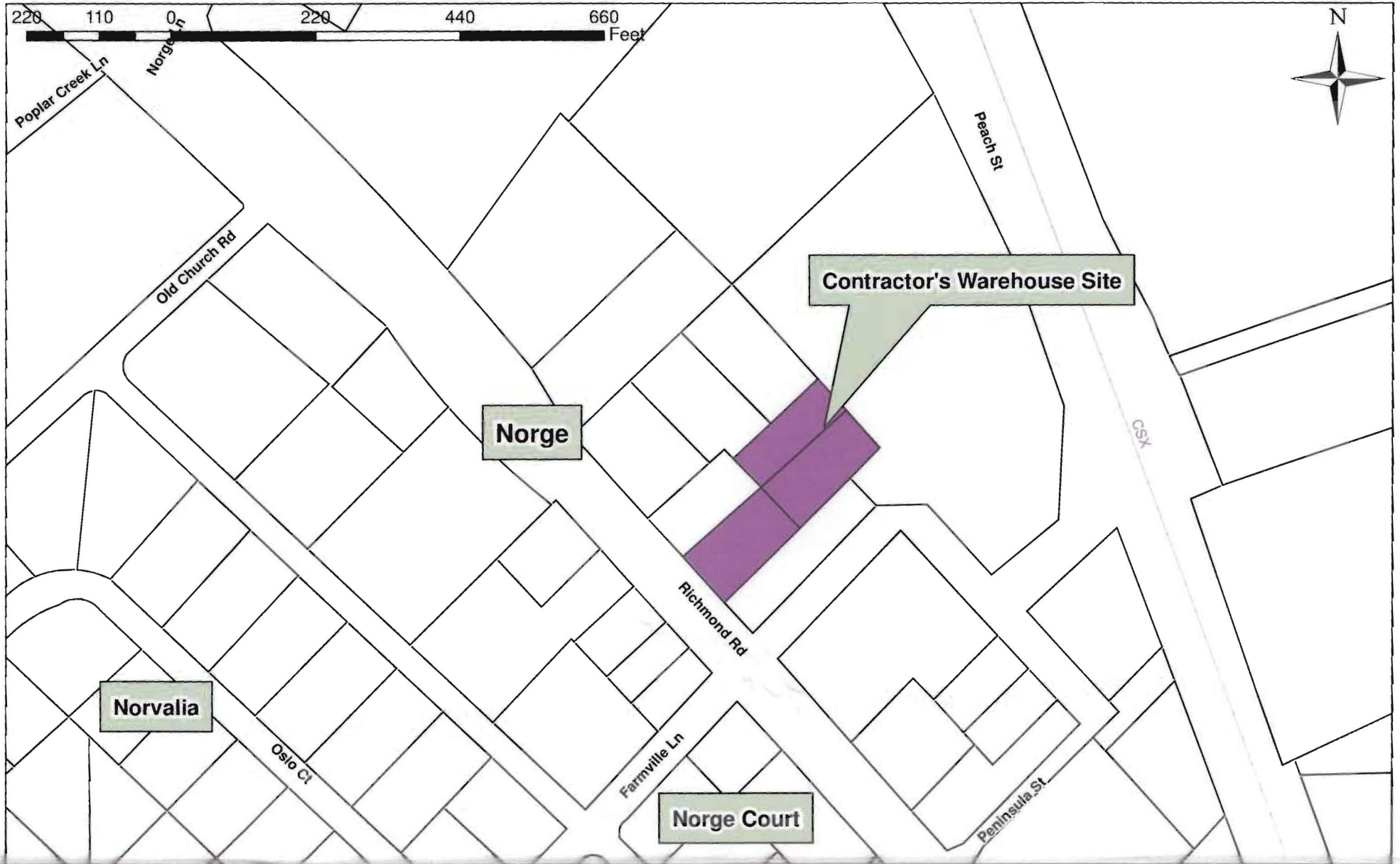
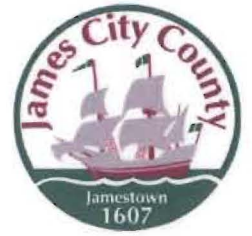
Mr. Poole stated that based on the zoning and Comp Plan, he was prepared to support the application.

Mr. Poole moved for approval, with a second from Mr. Fraley.

In a unanimous roll call vote, the Commission approved the motion (7-0).

# JCC-SUP-0010-2009

## Michael Hipple Contractor's Office





**MEMORANDUM**

DATE: May 26, 2009

TO: The Board of Supervisors

FROM: Angela M. King, Assistant County Attorney

SUBJECT: Ordinance to Amend and Reordain Chapter 20, Taxation, Section 20-13.2, Personal Property Tax on Motor Vehicles and Trailers; Proration Thereof, and Section 20-13.9, Motor Vehicle, Trailer, and Semitrailer Registration

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Attached for your consideration is an ordinance which amends Sections 20-13.2 and 20-13.9 of the County Code.

Minor amendments are made to Sections 20-13.2(a) and 20-13.2(c). The addition of the language regarding payment of the license fee will help to ensure compliance with the requirement of the one-time license fee authorized by Section 20-13.9.

Major amendments are made by adding Subsections (e), (f), and (g) to the current language found in Section 20-13.2. The addition of these Subsections will establish the alternative method of filing personal property tax returns, as permitted by the Virginia Code.

- Virginia Code §§ 58.1-3518 and 58.1-3518.1 offer localities two choices regarding the assessment of personal property taxes. Section 58.1-3518 – the conventional method – requires that taxpayers file returns with the Commissioner of the Revenue every year (except for property deemed to be of too little value to generate a tax assessment). Section 58.1-3518.1 describes an alternative method of filing which the locality may establish by ordinance. The alternative method requires that taxpayers file returns with the Commissioner of the Revenue only for the first year the property becomes taxable in the County, in subsequent years this initial return is utilized by the Commissioner of the Revenue until proper notification that the property is no longer taxable by the County. Without ordinance language establishing the alternative method of filing, the County would be required to use the conventional method of filing. The alternative method is less cumbersome than the conventional method and, therefore, should reduce administrative costs to the County. The Board of Supervisors adopted this alternative method of filing in August 1995 as Section 11-57. Section 11-57 was renumbered as Section 13-57 in December 1997, when several chapters were renumbered as a result of the in-house codification of the County Code.
- Virginia Code § 46.2-752 authorizes localities to “levy and assess taxes and charge license fees on motor vehicles . . . .” This license fee was known by many Virginians as a decal fee, because many localities charged an annual fee for decals to indicate that the license fee had been paid. In December 2006, the Board of Supervisors eliminated both the annual license fee and the decal. Rather than modifying Section 13-57, the ordinance which allowed the alternative method of filing a personal property tax return found in Virginia Code § 58.1-3518.1, the Section was deleted in its entirety. It is recommended that the provisions previously found in Section 13-57, with minor changes, be re-established into the County Code to serve as the ordinance for the alternative method of filing personal property taxes.

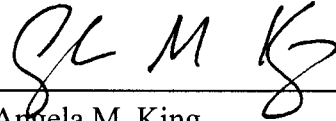
Ordinance to Amend and Reordain Chapter 20, Taxation, Section 20-13.2, Personal Property Tax on Motor Vehicles and Trailers; Proration Thereof, and Section 20-13.9, Motor Vehicle, Trailer, and Semitrailer Registration

May 26, 2009

Page 2

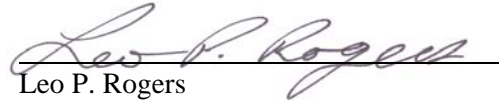
Minor amendments are made to Section 20-13.9. The substitution of the language "license fee" for "registration fee" is consistent with the terminology used in the Virginia Code.

These amendments are consistent with State law, and staff recommends adoption of the attached ordinance.



Angela M. King

CONCUR:



Leo P. Rogers

AMK/tlc  
Chp20-123\_mem

Attachment

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, PERSONAL PROPERTY TAX, SECTION 20-13.2, PERSONAL PROPERTY TAX ON MOTOR VEHICLES AND TRAILERS; PRORATION THEREOF; AND SECTION 20-13.9, MOTOR VEHICLE, TRAILER, AND SEMITRAILER REGISTRATION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Taxation, is hereby amended and reordained by amending Section 20-13.2, Personal property tax on motor vehicles and trailers; proration thereof; and Section 20-13.9, Motor vehicle, trailer, and semitrailer registration.

Chapter 20. Taxation

Article III. Personal Property Tax

**Sec. 20-13.2. Personal property tax on motor vehicles and trailers; proration thereof.**

(a) There shall be a personal property tax at a rate established each year by the board of supervisors on motor vehicles and trailers, (hereafter referred to in this section as "taxable property") which have a situs within the county on January first of each year and which acquire a situs within the county on or after January the second of each year. When taxable property acquires a situs within the county on or after January second, the personal property tax for that year shall be assessed to the owner prorated on a monthly basis for the portion of the tax year during which the taxable property has situs within the county. When taxable property with a situs in the county is transferred to a new owner within the county, the personal property tax shall be assessed to the new owner prorated on a monthly basis for the portion of the tax year during which the new owner owns the taxable property. For purposes of proration, a period of more than one-half of a month shall be counted as a full month and a period of less

than one-half of a month shall not be counted. All taxable property shall be assessed as of January first of each year or, if it acquires situs or has its title transferred after January first, as of the first day of the month in which the taxable property acquires situs within the county or has its title transferred. The owner of taxable property acquiring situs within the county or to whom taxable property is transferred shall file a declaration of property ownership to the commissioner of revenue within 30 days of the date on which said property acquires a situs within the county or has its title transferred to such owner- *and pay the license fee required in section 20-13.9(a).*

(b) When any taxable property loses its situs within the county or its title is transferred to a new owner, the taxpayer shall from that time be relieved from personal property tax on such property and receive a refund of personal property tax already paid, or a credit against personal property taxes outstanding against the taxpayer, at the option of the commissioner of the revenue, on a monthly prorated basis, upon application to the commissioner of the revenue.

(c) Any person who fails to pay personal property taxes on or before the date due, *or who fails to pay the license fee as required in section 20-13.9(a)* shall incur a penalty of ten percent of the tax due, or \$10.00, whichever is greater; provided, however, that the penalty shall in no case exceed the amount of tax due. Said sum shall become part of the taxes due. Interest at the rate of ten percent per annum from the first day following the day such taxes are due shall be paid upon the principal and penalties of such taxes remaining unpaid.

(d) An exemption from this tax and any penalties arising therefrom shall be granted for any tax share or portion thereof during which the property was legally assessed by another jurisdiction and



proof is presented to the commissioner of the revenue indicating that such tax on the assessed property was paid.

*(e) Notwithstanding the filing requirement set out elsewhere in this article, the most recent personal property tax return or registration previously filed shall be the basis for the assessment or taxable property in all subsequent years in which the commissioner of the revenue has not been informed of a change of address or name of a taxable property owner or a change in the situs of ownership of the taxable property.*

*(f) All owners of previously registered taxable property shall file a new personal property tax return within 30 days of:*

*(1) A change in the name or address of the person or persons owning the taxable property;*

*(2) A change in the situs of the taxable property; or*

*(3) Any other change affecting the assessment of taxable property for which a return or registration was previously filed.*

*(g) All owners of motor vehicles or trailers shall file a return and pay the taxes and license fee required in section 20-13.9(a) of this article within 30 days of acquiring title to any motor vehicle or trailer which was not previously registered by that owner with the county. All owners of boats shall file a return and pay any taxes due on any boat which was not previously registered by that owner with the county. Failure to do so shall cause the owner or owners of the property to be assessed penalty and interest as provided in subsection (c) of this article.*

**State law reference**-Proration of personal property tax, Code of Va., § 58-1-3516.

**Sec. 20-13.9. Motor vehicle, trailer, and semitrailer registration.**

(a) A one-time \$10.00 ~~registration~~ **license** fee is hereby imposed upon every motor vehicle, trailer, or semitrailer normally garaged, stored or parked in the county. The fee shall be collected as taxes are collected.

(b) For the purposes of this section, “motor vehicle, trailer and semitrailer” shall be defined in accordance with section 46.2-100 of the Code of Virginia. In the event it cannot be determined where such motor vehicle, trailer or semitrailer is normally garaged, stored or parked, the situs for purposes of the ~~registration~~ **license** fee requirement shall be the domicile of the owner of such motor vehicle, trailer, or semitrailer.

(c) The provisions of this section shall not apply to the following:

- (1) Any vehicle exempted by the provisions of Code of Virginia, §§ ~~sections~~ 46.2-663-46.2-683, as amended, and Code of Virginia, § ~~section~~ 46.2-755, as amended; or
- (2) Any vehicle licensed pursuant to Code of Virginia, § ~~section~~ 46.2-750, as amended;  
or
- (3) Any vehicle otherwise exempted by state law.

**State law reference**-Authority of county to license motor vehicles, etc., and provisions relating thereto, Code of Va., §§ 46.2-752, 46.2-755.

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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on this 26th day of May,  
2009.

Chp20-132\_ord

MEMORANDUM

DATE: May 26, 2009  
TO: The Board of Supervisors  
FROM: Shawn A. Gordon, Capital Projects Coordinator  
SUBJECT: Condemnation for Drainage Easement Acquisition at 5501 Centerville Road

---

James City County, in partnership with the Virginia Department of Transportation (VDOT), will be locally administering the Intersection Improvements for Longhill Road (Route 612) and Centerville Road (Route 614) at the entrance to Freedom Park. In accordance with the Freedom Park Master Plan, JCC Case No. SUP-11-04 and Master Plan 3-04, intersection improvements are necessary in accordance with traffic impact studies and the VDOT Traffic Signal Study previously completed.

As part of the intersection improvements, the drainage and storm sewer conveyance system along the project corridor will need to be upgraded. Due to the constraints of the right-of-way along the project corridor, it will be necessary to acquire drainage easements outside the existing right-of-way. The property at 5501 Centerville Road owned by E.L. Griffin Investments, Inc. lies within the project limits, thereby necessitating a variable width drainage easement having an area of 90 sq.ft. or 0.002 acres. The proposed drainage easement with improvements would lie within an existing 10-foot Underground C&P Easement and a 20-foot Aerial Virginia Power Easement. Acquisition of this drainage easement is essential to complete the intersection improvements allowing the County to move forward with the project to complete the design, bidding process and to receive the Federal and State funding allocations. JCC Real Estate Assessments reviewed the impact of this drainage easement and determined the current market value at \$49.95, with no discernable difference in market value before and after the acquisition being demonstrated.

Staff attempted to contact the property owner several times via telephone and U.S Mail to purchase the drainage easement with no success, therefore; condemnation is the only option remaining. Without condemning the drainage easement, revenues estimated at over \$1.1 million to complete the intersection improvements are in jeopardy.

Please find attached a preliminary copy of the drainage easement acquisition plat and an aerial layout of the project area for 5501 Centerville Road.

Staff requests authorization from the Board of Supervisors to proceed immediately with the condemnation process.

  
Shawn A. Gordon

CONCUR:

  
John T.P. Horne

SAG/gb  
CondemEsmt\_mem

Attachments

## RESOLUTION

### CONDEMNATION FOR DRAINAGE EASEMENT ACQUISITION AT

#### 5501 CENTERVILLE ROAD

WHEREAS, the County of James City, Virginia (the “County”) is locally administering the Virginia Department of Transportation (the “VDOT”) intersection improvement project at the intersection of Longhill and Centerville Roads in the County; and

WHEREAS, the intersection improvements require drainage improvements along the westerly side of Centerville Road, including the parcel known as 5501 Centerville Road and further identified as James City County Real Estate Tax Parcel No. 3130100010 (the “Property”); and

WHEREAS, after holding a public hearing, in the opinion of the Board of Supervisors of James City County, Virginia, a public necessity exists for the acquisition of an easement on the Property for the construction of drainage facilities for public purposes and for the preservation of the health, safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The acquisition of the hereinafter described property for drainage facilities is declared to be a public necessity and to constitute an authorized public undertaking pursuant to Section 15.2-1901.1 of the Code of Virginia, 1950, as amended (the “Virginia Code”); and it is further declared that the acquisition and use of such property by the County will constitute a public use as defined by Section 15.2-1900 of the Virginia Code.
2. The County elects to use the procedures set forth in Sections 25.1-300 et seq. of Virginia Code, as authorized by Section 15.2-1904(A) of the Virginia Code.
3. A public necessity exists that the County enter on and take the hereinafter described property for the purposes described herein above before the conclusion of condemnation proceedings, and the County declares its intent to so enter and take the property under those powers granted pursuant to Sections 15.2-1902, 15.2-1904, and 15.2-1905 of the Virginia Code.
4. The County Attorney is hereby authorized and directed to acquire by voluntary acquisition or, if necessary, by condemnation in the manner provided by Title 25 of the Virginia Code and by Title 15 of the Virginia Code, the hereinafter described property.
5. The name of the present owners of the property to be acquired is E.L. Griffin Investments, Incorporated.
6. A substantial description of the property is: All that certain lot, piece or parcel of land, situate, lying and being in Powhatan Magisterial District, James City County, State of Virginia, and is bounded and described as follows: Beginning at a point on the Centerville-Lightfoot Road where the northeast corner of the lot hereby

conveyed, the property now or formerly belonging to Mable Pierce (Irene Pierce Brown Estate, c/o Charlette M. Brown), at vir, and the westerly side of the above said road coverage; thence south the distance of 100 feet to a point on said westerly side of said road; thence from the point of beginning and the aforesaid point, the property runs back between parallel lines in a westerly direction the distance of 100 feet to a point. Said property is bounded on the north by the property now or formerly belonging to Mable Peirce (Irene Pierce Brown Estate, c/o Charlette M. Brown), at vir, on the west end south by the property of the Grantor and on the east by the Centerville-Lightfoot Road and fronting thereon 100 feet.

AND BEING THE SAME property conveyed to Helen Wall by deed from Eleanor Godwin, widow, dated March 21, 1974 and recorded March 29, 1974 in Deed Book 151 at page 209 among the land records of James City County, Virginia. The said Helen Wall having duly departed this life on July 29, 1999, and her interest in said property having passed to Keith C. Wall as evidence of the Last Will and Testament of Helen Wall recorded in Deed Book 0214, page 2631 in the aforementioned Clerk's Office.

More commonly known as 5501 Centerville, Williamsburg, Virginia.

7. Just compensation is estimated to be \$49.95 based upon an assessed valuation pursuant to Section 25.1-417(A)(2) of the Virginia Code.
8. No condemnation proceedings shall be commenced until the preconditions of Section 15.2-1903(A) of the Virginia Code are met.
9. In the event the property described in paragraph 6 of this resolution has been conveyed, the County Attorney is authorized and directed to institute proceedings against the successors in title.
10. If an emergency is declared to exist, this resolution shall be in effect from the date of its passage.

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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of May, 2009.

condemnEsmt\_res

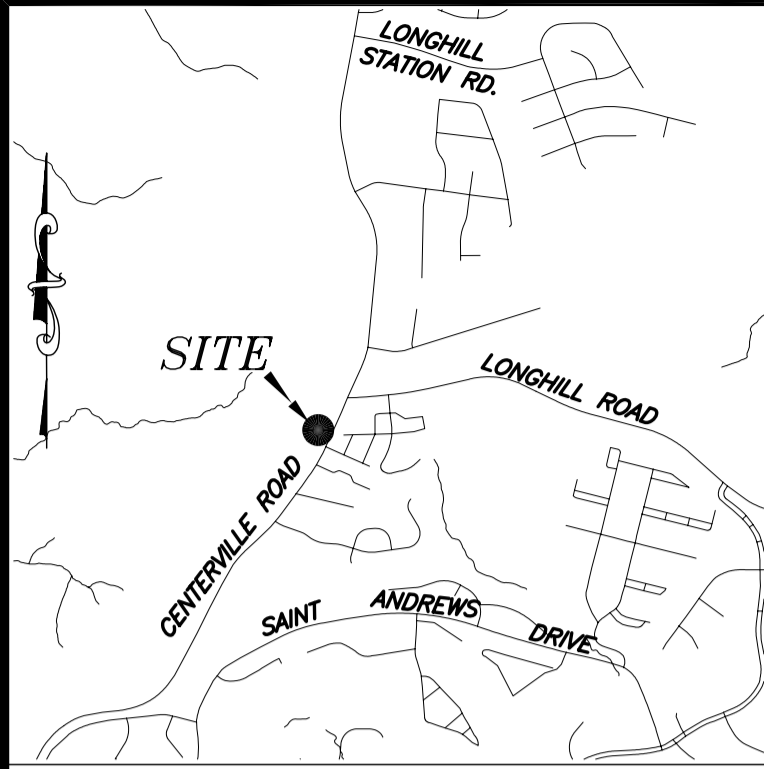
# James City County - Real Estate Assessment Division - Mapping/GIS Section



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.

1 inch = 200 feet  
0 0.025 0.05 Miles





VICINITY MAP SCALE: 1" = 2000'

**NOTES:**

1. THE MERIDIAN SOURCE OF THIS PLAT IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE,

NORTH AMERICAN DATUM 1983(1986). COUNTY MONUMENTS USED AND CONSTRAINED TO ARE AS FOLLOWS:

STATION #304 N= 3,665,244.285 E=11,977,536.998 ELEV=102.95	STATION #307 N= 3,656,066.458 E=11,987,719.426 ELEV=118.35	STATION #309 RESET 1990 N= 3,643,181.517 E=11,980,267.633 ELEV=101.76	STATION #313 N= 3,634,781.641 E=11,977,685.399 ELEV=98.45
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3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, AND DOES NOT SHOW ALL PHYSICAL IMPROVEMENTS, NOR ALL EASEMENTS AND RESTRICTIONS THAT MAY AFFECT THE PROPERTY.

4. THIS PROPERTY APPEARS TO BE IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN

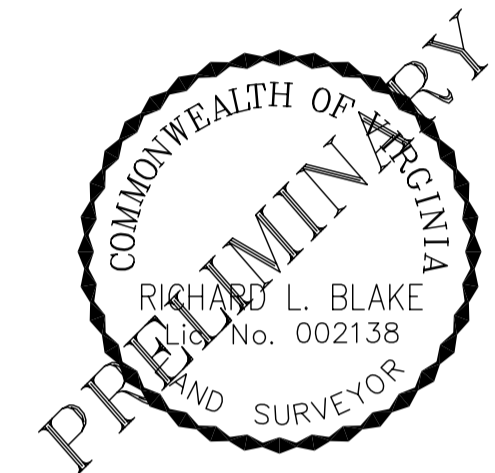
REFERENCE: FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 510201 0035B, MAP

EFFECTIVE DATE FEBRUARY 6, 1991.

5. THIS PROPERTY IS LOCATED IN THE CHESAPEAKE BAY PRESERVATION AREA.

PLAT OF DRAINAGE EASEMENT ACQUISITION  
FROM: EL GRIFFIN INVESTMENTS, INC.  
TO: JAMES CITY COUNTY  
POWhatan MAGISTERIAL DISTRICT  
SCALE: 1" = 20' DATE: OCTOBER 27, 2008  
JAMES CITY COUNTY - VIRGINIA

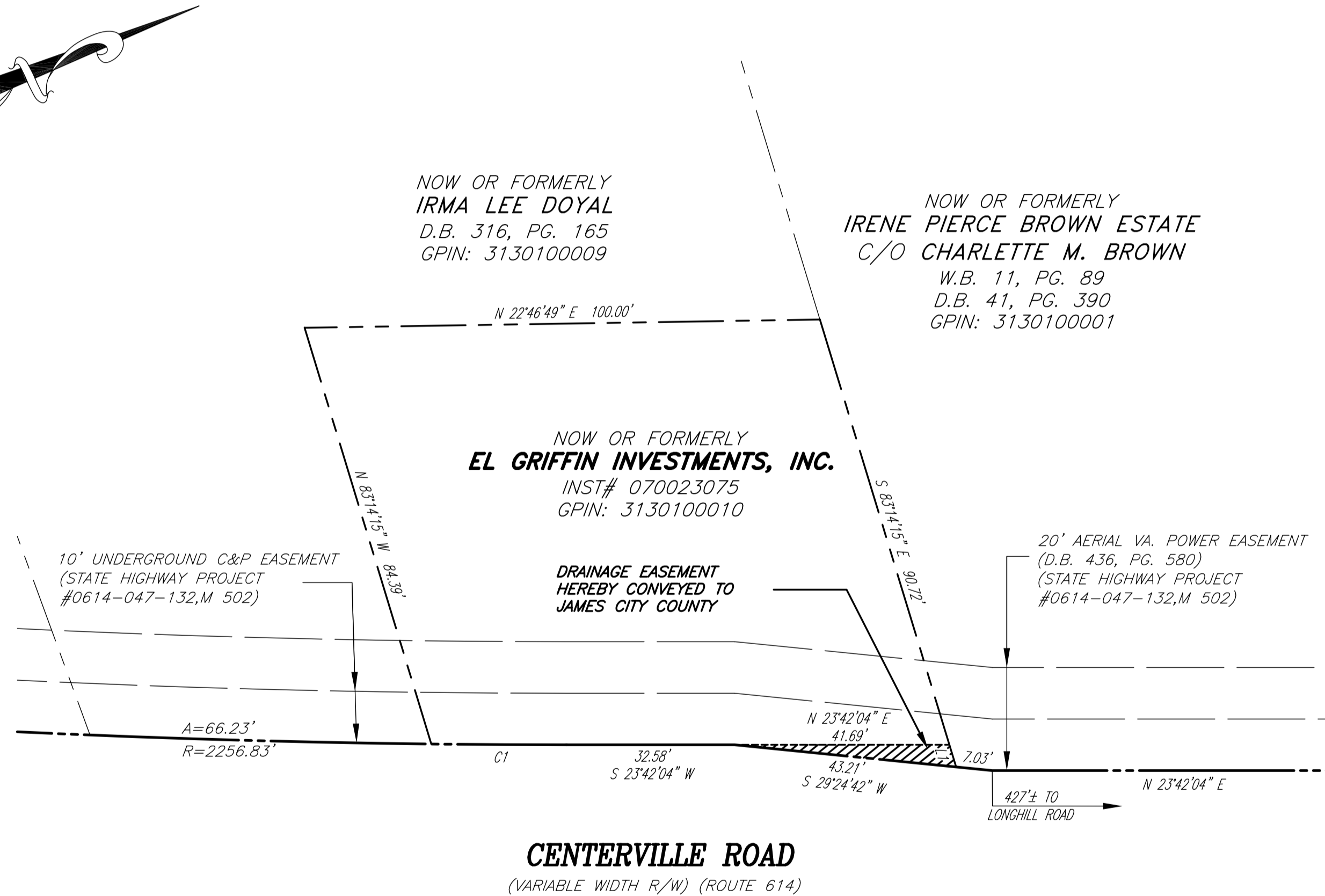
**PRECISION MEASUREMENTS, INC.**  
SURVEYORS - GPS - GIS - MAPPING - 3-D LASER SCANNING  
813 DILIGENCE DRIVE, SUITE 119  
NEWPORT NEWS, VIRGINIA 23606  
(757) 595-7570 (757) 595-7571 FAX  
SHEET 1 OF 1



NOW OR FORMERLY  
**IRMA LEE DOYAL**  
D.B. 316, PG. 165  
GPIN: 3130100009

NOW OR FORMERLY  
**IRENE PIERCE BROWN ESTATE**  
C/O CHARLETTE M. BROWN  
W.B. 11, PG. 89  
D.B. 41, PG. 390  
GPIN: 3130100001

NOW OR FORMERLY  
**EL GRIFFIN INVESTMENTS, INC.**  
INST# 070023075  
GPIN: 3130100010



**CENTERVILLE ROAD**  
(VARIABLE WIDTH R/W) (ROUTE 614)

OWNER'S CERTIFICATE

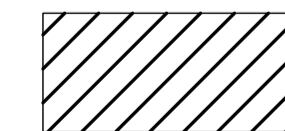
THE PLATTING OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

EL GRIFFIN INVESTMENTS, INC. DATE

STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_, TO WIT:  
I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_, WHOSE NAME IS SIGNED TO THE FOREGOING WRITING BEARING DATE THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE JURISDICTION AFORESAID.

GIVEN UNDER MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
SIGNED: \_\_\_\_\_, MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC

HATCH LEGEND



**DRAINAGE EASEMENT  
HEREBY CONVEYED TO  
JAMES CITY COUNTY  
90 SQ.FT. OR 0.002 ACRE**

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2256.83'	00°40'00"	26.26'	26.26'	S 24°02'04" W

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 83°14'15" E	4.50'



MEMORANDUM

DATE: May 26, 2009

TO: The Board of Supervisors

FROM: Stephanie Luton, Purchasing/Management Services Director

SUBJECT: Adoption of the Shaping Our Shores Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park

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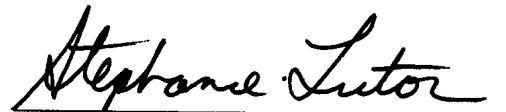
The County purchased Chickahominy Riverfront Park in 2001 and the Jamestown Beach Campground and Jamestown Yacht Basin in 2006 to preserve greenspace, protect environmental and cultural resources, and provide increased waterfront access and recreational opportunities for citizens. Recognizing the need for development of a long-range plan for the use of these sites, the Board of Supervisors and County Administration authorized the release of a Request for Proposals in October 2007 to select a consultant to develop a Master Plan.

On December 11, 2007, the Board of Supervisors awarded the contract to prepare the Master Plan to the planning, design, and engineering firm Vanasse Hangen Brustlin, Inc. (VHB). VHB worked closely with a multi-disciplinary team of County staff members to develop the Shaping Our Shores Master Plan that addresses the long-term physical development, use, and stewardship of these three sites. Throughout 2008 and early 2009, this project team gathered relevant background data, solicited community input through three public meetings and a variety of other media, formulated feasible uses, drafted the Plan, and evaluated feedback.

The project team developed the attached Task Priority Matrix (Exhibit A) and Marina Economic and Fiscal Impact Analysis (Exhibit B) in response to the Board's guidance from the March 24, 2009, work session. These Exhibits supplement the main document and are included in the final version of the Master Plan. The Matrix is a working document intended to be updated if priorities change or other funding options are identified.

The Master Plan is a high-level planning document of a broad conceptual nature. It is intended to guide and assist citizens, staff, commissions, and the Board of Supervisors in making future land use, planning, funding, maintenance, management, and administrative decisions about the three sites.

Staff recommends approval of the attached resolution adopting the Shaping Our Shores Master Plan.



Stephanie Luton

CONCUR:

---

John E. McDonald

SL/nb  
SOSMasPI\_mem

Attachment

**RESOLUTION**

**ADOPTION OF THE SHAPING OUR SHORES MASTER PLAN FOR JAMESTOWN BEACH**

**CAMPGROUND, JAMESTOWN YACHT BASIN, AND CHICKAHOMINY RIVERFRONT PARK**

WHEREAS, Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park were purchased by James City County to enhance the lives of its citizens by preserving greenspace, protecting environmental and cultural resources, and providing increased waterfront access and recreational opportunities; and

WHEREAS, these three sites required the development of a long-range conceptual plan to identify future uses, and the Shaping Our Shores Master Plan was developed in response to this need through a process that emphasized community input; and

WHEREAS, the recommended uses in the Shaping Our Shores Master Plan were developed to be feasible given the existing site constraints, match the community's vision, provide maximum benefits to the citizens, and offset operational and maintenance costs by developing appropriate and reasonable revenue-generating opportunities; and

WHEREAS, the Master Plan is a high-level planning document of a broad conceptual nature that is intended to guide and assist citizens, staff, commissions, and the Board of Supervisors in making future land use, planning, funding, maintenance, management, and administrative decisions about the three sites.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the Shaping Our Shores Master Plan for Jamestown Beach Campground, Jamestown Yacht Basin, and Chickahominy Riverfront Park.

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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of  
May, 2009.

SOSMasPl\_res

## **Shaping Our Shores Master Plan Adoption**

### **Exhibit B-Marina Economic and Fiscal Impact Analysis**

In response to Board guidance received at the March 24, 2009 work session, RKG Associates, Inc., VHB's economic analysis sub-consultant, performed a pro-forma and fiscal impact analysis for two ownership alternatives and five development scenarios at the Marina. VHB updated the summary of probable construction costs for each of the five development scenarios. This Exhibit contains summaries of the pro-forma and fiscal impact analyses followed by the construction cost summaries for each of the five development scenarios.

The two ownership alternatives are: 1) leasing of the marina operations and sale of the non-marina operations and 2) an outright sale of the Yacht Basin.

The five development scenarios are summarized below.

#### **Scenario 1: Repair of the current marina**

This scenario includes the improvements required to bring the existing marina and associated services up to current standards. The goal would be to make the Yacht Basin safe and clean. The boat ramp would remain in same place and there would be no dry boat storage or restaurant added. The improvements would include replacement of worn out infrastructure such as bulkheads, fixed docks, floating docks and power to each slip. The existing boat sales/service/ship store and dockmaster quarters would be renovated.

#### **Scenario 2: Original Less intense**

This scenario includes an upgraded marina with the addition of a 10,000 sq ft restaurant space which could be 1 larger or 2 smaller restaurants and a new 224 space dry stack storage facility as per the "Less Intense" option in the draft Master Plan.

#### **Scenario 3: Scenario 2 and expanded dry stack storage**

This scenario includes all Scenario 2 items plus an expanded dry stack facility made possible by locating the dry stack building off of the peninsula. The expanded dry stack building would contain an additional 10,000 sq ft.

#### **Scenario 4: Scenario 3 and retail**

This scenario includes all Scenario 3 items and an 8,000 sq ft retail component that the site could potentially support.

#### **Scenario 5: Self-sustaining without residential or hospitality**

This scenario is for a development program that would make the project financially self-sustaining without a residential or hospitality component. Retail can only fill a revenue void up to a certain point because of the absence of the residential component that would provide a "built in market." This

scenario was modeled as Scenario 4 with an additional 10,000 sq ft of retail for a total of 18,000 sq ft of retail.

# Pro Forma Analysis

## 5-YEAR STUDY PERIOD

	Scenario #1	Scenario #2	Scenario #3	Scenario #4	Scenario #5
<b>LEASE MARINA OPERATIONS, SELL NON-MARINA OPERATIONS</b>					
Marina Pro Forma Analysis					
5-Year IRR	14.7%	N/A	N/A	N/A	N/A
Initial County Revenue (Outlay) to Meet Desired ROI	\$0	(\$9,163,453)	(\$9,384,581)	(\$9,384,581)	(\$9,384,581)
Non-Marina Pro Forma Analysis					
5-Year IRR	0.0%	39.9%	39.9%	39.1%	39.9%
Initial County Revenue (Outlay) to Meet Desired ROI	\$0	\$373,818	\$373,818	\$474,308	\$761,766
<b>SELL YACHT BASIN OUTRIGHT</b>					
Pro Forma Analysis					
5-Year IRR	28.9%	N/A	-20.8%	-16.0%	-7.5%
Initial County Revenue (Outlay) to Meet Desired ROI	\$1,408,511	(\$4,011,656)	(\$3,586,621)	(\$3,486,131)	(\$3,198,673)

Source: RKG Associates, Inc. 2009

## 10-YEAR STUDY PERIOD

	Scenario #1	Scenario #2	Scenario #3	Scenario #4	Scenario #5
<b>LEASE MARINA OPERATIONS, SELL NON-MARINA OPERATIONS</b>					
Marina Pro Forma Analysis					
Internal Rate of Return	28.1%	-11.5%	-9.2%	-9.2%	-9.2%
Initial County Revenue (Outlay) to Meet ROI	\$0	(\$7,658,732)	(\$7,489,849)	(\$7,489,849)	(\$7,489,849)
Non-Marina Pro Forma Analysis					
Internal Rate of Return	0.0%	31.0%	31.0%	30.5%	31.0%
Initial County Revenue (Outlay) to Meet ROI	\$0	\$317,574	\$317,574	\$402,302	\$650,401
<b>SELL YACHT BASIN OUTRIGHT</b>					
Pro Forma Analysis					
Internal Rate of Return	24.9%	-2.0%	3.0%	4.4%	7.3%
Initial County Revenue (Outlay) to Meet ROI	\$1,386,138	(\$3,547,937)	(\$3,163,357)	(\$3,078,630)	(\$2,830,531)

Source: RKG Associates, Inc. 2009

# Pro Forma Analysis

- Scenario #1 requires no County assistance to make financially viable (lease or sell)
- Without residential, there is no “break even” scenario with upgraded marina
- Net Operating Income not high enough to justify marina renovation costs of all other scenarios

# Pro Forma Analysis

- Restaurant/retail space with lease option viable with below market sale price
- County investment would range from \$2.9 million to \$9.4 million to make viable, depending on alternative
- County investment would be greater for lease options than sale
  - Leverage
  - Residual

# Fiscal Impact Analysis

## FISCAL IMPACT ANALYSIS OF DIFFERENCES FROM EXISTING OPERATIONS

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	TOTAL	NPV
<b>LEASE MARINA OPERATIONS, SELL NON-MARINA OPERATIONS</b>								
Scenario #1	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Scenario #2	\$544,189	\$638,567	\$720,966	\$726,849	\$732,921	\$766,272	\$7,126,100	\$6,039,309
Scenario #3	\$705,595	\$801,475	\$884,270	\$890,566	\$897,066	\$932,831	\$8,769,359	\$7,439,982
Scenario #4	\$713,203	\$825,813	\$922,722	\$930,476	\$938,478	\$982,415	\$9,152,204	\$7,758,905
Scenario #5	\$812,096	\$885,144	\$1,010,937	\$1,022,303	\$1,034,045	\$1,098,757	\$10,124,766	\$8,580,260
<b>SELL YACHT BASIN OUTRIGHT</b>								
Scenario #1	\$111,390	\$126,851	\$131,172	\$135,620	\$140,197	\$165,081	\$1,419,510	\$1,199,769
Scenario #2	\$858,567	\$999,817	\$1,092,548	\$1,109,065	\$1,126,077	\$1,218,900	\$11,089,647	\$9,392,588
Scenario #3	\$1,085,120	\$1,239,511	\$1,335,710	\$1,355,833	\$1,376,596	\$1,490,546	\$13,610,663	\$11,533,793
Scenario #4	\$1,119,585	\$1,294,456	\$1,408,519	\$1,430,100	\$1,452,364	\$1,574,487	\$14,325,825	\$12,134,969
Scenario #5	\$1,151,874	\$1,415,001	\$1,565,446	\$1,590,640	\$1,616,645	\$1,759,542	\$15,842,704	\$13,404,018

Source: RKG Associates, Inc. 2009



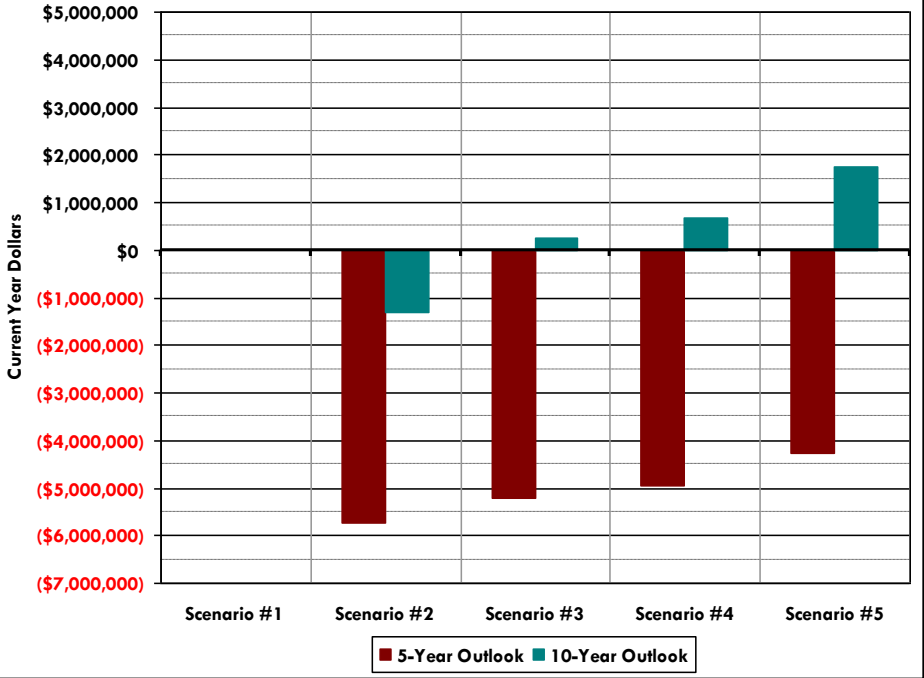
# Fiscal Impact Analysis

- Net change to fiscal impacts from upgrade of Marina are positive
  - Personal property tax
  - Local sales/restaurant tax
- 10-year NPV revenue stream ranges from \$6.0 to \$8.6 million
- Maintaining existing operations has no impact on revenues (no changes)

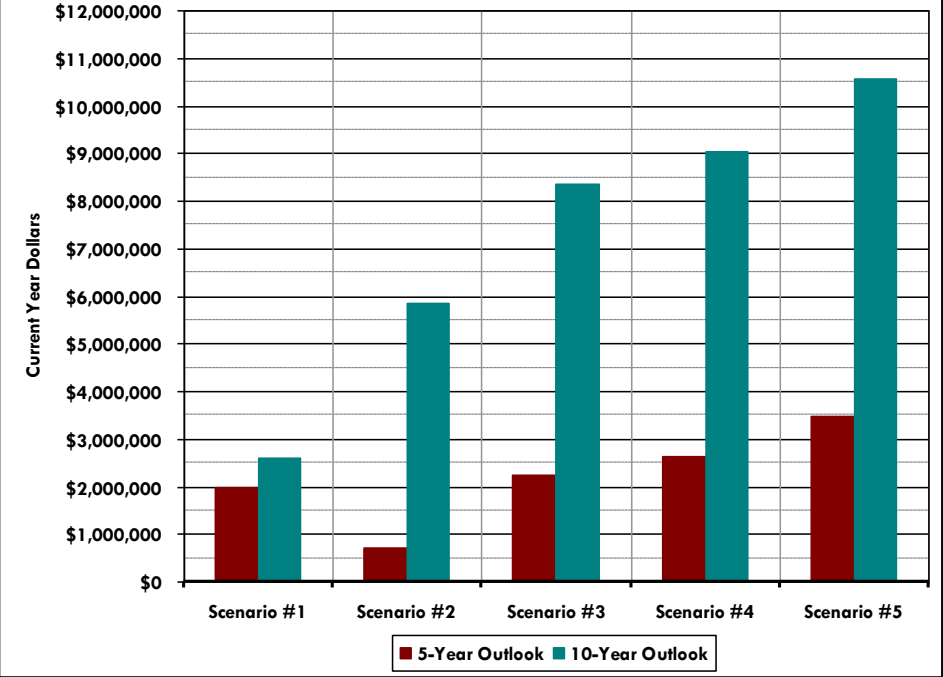
# Fiscal Impact Analysis

- Sale of Yacht Basin boosts revenue
  - Real property tax
- Net change in NPV of real property tax revenues range from \$1.2 to \$4.8 million
  - Marina value not included through lease
- Assumes changes in service levels for County are negligible
  - No residential, already services provided

**Net Financial Impact to County  
Marina Lease Scenario**



**Net Financial Impact to County  
Marina Sale Scenario**



# Financial Impact to County

## 5-YEAR FINANCIAL IMPACT ANALYSIS FROM CURRENT OPERATIONS

	Scenario #1	Scenario #2	Scenario #3	Scenario #4	Scenario #5
<b>MARINA LEASE ALTERNATIVE</b>					
Initial Cash Revenue from Sale	\$0	\$373,818	\$373,818	\$474,308	\$761,766
Requisite Cash Outlay	\$0	(\$9,163,453)	(\$9,384,581)	(\$9,384,581)	(\$9,384,581)
Fiscal Impact of Scenario	\$0	\$3,068,055	\$3,814,816	\$3,951,515	\$4,348,206
<b>Total Net Revenue (Loss)</b>	<b>\$0</b>	<b>(\$5,721,580)</b>	<b>(\$5,195,948)</b>	<b>(\$4,958,758)</b>	<b>(\$4,274,610)</b>
<b>YACHT BASIN SALE ALTERNATIVE</b>					
Initial Cash Revenue from Sale	\$1,408,511	\$0	\$0	\$0	\$0
Requisite Cash Outlay	\$0	(\$4,011,656)	(\$3,586,621)	(\$3,486,131)	(\$3,198,673)
Fiscal Impact of Scenario	\$589,188	\$4,732,574	\$5,836,340	\$6,119,567	\$6,692,500
<b>Total Net Revenue (Loss)</b>	<b>\$1,997,699</b>	<b>\$720,918</b>	<b>\$2,249,719</b>	<b>\$2,633,436</b>	<b>\$3,493,826</b>

Source: RKG Associates, Inc. 2009

## 10-YEAR FINANCIAL IMPACT ANALYSIS FROM CURRENT OPERATIONS

	Scenario #1	Scenario #2	Scenario #3	Scenario #4	Scenario #5
<b>MARINA LEASE ALTERNATIVE</b>					
Initial Cash Revenue from Sale	\$0	\$317,574	\$317,574	\$402,302	\$650,401
Requisite Cash Outlay	\$0	(\$7,658,732)	(\$7,489,849)	(\$7,489,849)	(\$7,489,849)
Fiscal Impact of Scenario	\$0	\$6,039,309	\$7,439,982	\$7,758,905	\$8,580,260
<b>Total Net Revenue (Loss)</b>	<b>\$0</b>	<b>(\$1,301,849)</b>	<b>\$267,708</b>	<b>\$671,358</b>	<b>\$1,740,812</b>
<b>YACHT BASIN SALE ALTERNATIVE</b>					
Initial Cash Revenue from Sale	\$1,386,138	\$0	\$0	\$0	\$0
Requisite Cash Outlay	\$0	(\$3,547,937)	(\$3,163,357)	(\$3,078,630)	(\$2,830,531)
Fiscal Impact of Scenario	\$1,199,769	\$9,392,588	\$11,533,793	\$12,134,969	\$13,404,018
<b>Total Net Revenue (Loss)</b>	<b>\$2,585,907</b>	<b>\$5,844,651</b>	<b>\$8,370,436</b>	<b>\$9,056,339</b>	<b>\$10,573,487</b>

Source: RKG Associates, Inc. 2009

# Financial Impact to County

- Analysis DOES NOT account for original purchase price of Yacht Basin
  - Assumes this is a sunk cost
  - Adversely impacts numbers if considered
- Scenario #1 safest bet
  - Minimal investment, minimal return
- Scenarios #2 through #5 provide greatest return to County
  - Tax revenues outweigh rehab. investment

# Financial Impact to County

- Increasing development levels financially benefits the County
- Partner with long-term hold period preferred
- Leasing site substantially impacts financial benefit
  - loss of real property revenue
  - Private leverage of rehabilitation costs
- Tax revenue benefits continue beyond the 10-year study period

**Project: Shaping Our Shores**

**Jamestown Yacht Basin Scenario 1 ("Repair Current Marina")**

Summary of Probable Construction Costs :	Jamestown Yacht Basin Option 1			
	No. Units	Unit Meas.	Unit Cost	Total Cost
<b>PROJECT DESIGN (SOFT) COSTS</b>				
Boundary/Topographic Survey	1	LS	\$5,000	\$5,000
Design Fees	1	LS	\$50,000	\$50,000
Rezoning/SUP/BZA Costs	-	-	-	-
Additional Archaeological Studies	-	-	-	-
Traffic Impact Analysis	-	-	-	-
Geotechnical Investigation	1	LS	\$10,000	\$10,000
Construction Bidding/Administration	1	LS	\$10,000	\$10,000
<b>DEMOLITION</b>				
Existing Surfaces/Entry road	-	-	-	-
Demolition of Parking Areas	-	-	-	-
Existing Buildings	-	-	-	-
Existing Bulkhead, Dock, Slips (PARTIAL)	1	LS	\$50,000	\$50,000
<b>SITE DEVELOPMENT</b>				
Roads (PARTIAL OVERLAY)	1	LS	\$25,000	\$25,000
Paths (PARTIAL)	-	-	-	-
Parking Lots (PARTIAL)	1	LS	\$10,000	\$10,000
Earthwork (PARTIAL AT BULKHEADS)	1	LS	\$10,000	\$10,000
<b>PROPOSED BUILDINGS</b>				
Restaurant	-	-	-	-
Dry Stack Storage	-	-	-	-
Marina Building & Bathhouse (PAINT & SIGNAGE)	1	LS	\$90,000	\$90,000
<b>MARINA</b>				
Dredging	-	-	-	-
Bulkhead (REPAIR & FIX)	1	LS	\$100,000	\$100,000
Docks (REMOVE & REPLACE) (PARTIAL)	1	LS	\$100,000	\$100,000
Covered Wet Slips	-	-	-	-
Dry Stack Launch/retrieve	-	-	-	-
Boat Ramp	-	-	-	-
Canoe/Kayak Launch	-	-	-	-
<b>LANDSCAPING</b>				
Landscape general	-	-	-	-
Hardscape (promenade, parks)	-	-	-	-
<b>UTILITIES</b>				
Stormwater System	-	-	-	-
Sanitary System	-	-	-	-
Water System (TO DOCKS)	1	LS	\$75,000	\$50,000
Electrical System	1	LS	\$100,000	\$50,000
Gas / Fuel (REPLACE AS NEEDED)	1	LS	\$25,000	\$25,000
<b>OTHER</b>				
Dry Stack Forklift	-	-	-	-
Enviro Mitigation/LID measures	-	-	-	-
Subtotal			\$585,000	
Escalation (3% /year for 2 years)			\$602,550	
15% Contingency			1.15	
<b>GRAND TOTAL</b>			<b>\$692,933</b>	

**Project: Shaping Our Shores**

**Jamestown Yacht Basin Marina Scenario 2 (Original "Less Intense")**

Summary of Probable Construction Costs :	Jamestown Yacht Basin Option 2			
DESCRIPTION	No. Units	Unit Meas.	Unit Cost	Total Cost
<b>PROJECT DESIGN (SOFT) COSTS</b>				
Boundary/Topographic Survey	1	LS	\$30,000	\$30,000
Design Fees	1	LS	\$500,000	\$500,000
Rezoning/SUP/BZA Costs	1	LS	\$20,000	\$20,000
Additional Archaeological Studies	1	LS	\$40,000	\$40,000
Traffic Impact Analysis	1	LS	\$25,000	\$25,000
Geotechnical Investigation	1	LS	\$25,000	\$25,000
Construction Bidding/Administration	1	LS	\$100,000	\$100,000
<b>DEMOLITION</b>				
Existing Surfaces/Entry road	1	LS	20,000	\$20,000
Demolition of Parking Areas	1	LS	20,000	\$20,000
Existing Buildings	1	LS	100,000	\$100,000
Existing Bulkhead, Dock, Slips	1	LS	250,000	\$250,000
<b>SITE DEVELOPMENT</b>				
Roads	1	LS	\$400,000	\$400,000
Paths	1	LS	\$40,000	\$40,000
Parking Lots (includes pervious pavers)	1	LS	\$750,000	\$750,000
Earthwork	1	LS	\$150,000	\$150,000
<b>PROPOSED BUILDINGS</b>				
Restaurant	10000	SF	\$120	\$1,200,000
Dry Stack Storage	20000	SF	\$50	\$1,000,000
Marina Building	1200	SF	\$160	\$192,000
<b>MARINA</b>				
Dredging	20400	CY	\$35	\$714,000
Bulkhead	1800	LF	\$1,000	\$1,800,000
Docks	1	LS	\$300,000	\$300,000
Covered Wet Slips	3	LS	\$240,000	\$720,000
Dry Stack Launch/retrieve	1	LS	\$100,000	\$100,000
Boat Ramp	1	LS	\$220,000	\$220,000
Canoe/Kayak Launch	1	LS	\$90,000	\$90,000
<b>LANDSCAPING</b>				
Landscape general	1	LS	\$100,000	\$100,000
Hardscape (promenade, parks)	1	LS	\$100,000	\$100,000
<b>UTILITIES</b>				
Stormwater System + Bioretention Ponds	1	LS	\$750,000	\$750,000
Sanitary System	1	LS	\$200,000	\$200,000
Water System	1	LS	\$150,000	\$150,000
Electrical System	1	LS	\$100,000	\$100,000
Gas	1	LS	\$50,000	\$50,000
<b>OTHER</b>				
Dry Stack Forklift	1	LS	\$250,000	\$250,000
Enviro Mitigation/LID measures	1	LS	\$250,000	\$250,000
Subtotal				\$10,756,000
Escalation (3% /year for 2 years)				\$11,401,360
15% Contingency				1.15
<b>GRAND TOTAL</b>				<b>\$13,111,564</b>



**Project: Shaping Our Shores**

**Jamestown Yacht Basin Marina Scenario 3 (Original "Less Intense" + Expanded Dry Stack)**

Summary of Probable Construction Costs :	Jamestown Yacht Basin Option 3			
DESCRIPTION	No. Units	Unit Meas.	Unit Cost	Total Cost
<b>PROJECT DESIGN (SOFT) COSTS</b>				
Boundary/Topographic Survey	1	LS	\$30,000	\$30,000
Design Fees	1	LS	\$500,000	\$500,000
Rezoning/SUP/BZA Costs	1	LS	\$20,000	\$20,000
Additional Archaeological Studies	1	LS	\$40,000	\$40,000
Traffic Impact Analysis	1	LS	\$25,000	\$25,000
Geotechnical Investigation	1	LS	\$25,000	\$25,000
Construction Bidding/Administration	1	LS	\$100,000	\$100,000
<b>DEMOLITION</b>				
Existing Surfaces/Entry road	1	LS	20,000	\$20,000
Demolition of Parking Areas	1	LS	20,000	\$20,000
Existing Buildings	1	LS	100,000	\$100,000
Existing Bulkhead, Dock, Slips	1	LS	250,000	\$250,000
<b>SITE DEVELOPMENT</b>				
Roads	1	LS	\$400,000	\$400,000
Paths	1	LS	\$40,000	\$40,000
Parking Lots (includes pervious pavers)	1	LS	\$800,000	\$800,000
Earthwork	1	LS	\$150,000	\$150,000
<b>PROPOSED BUILDINGS</b>				
Restaurant	10000	SF	\$120	\$1,200,000
Dry Stack Storage	30000	SF	\$50	\$1,500,000
Marina Building	1200	SF	\$160	\$192,000
<b>MARINA</b>				
Dredging	20400	CY	\$35	\$714,000
Bulkhead	1800	LF	\$1,000	\$1,800,000
Docks	1	LS	\$300,000	\$300,000
Covered Wet Slips	3	LS	\$240,000	\$720,000
Dry Stack Launch/retrieve	1	LS	\$100,000	\$100,000
Boat Ramp	1	LS	\$220,000	\$220,000
Canoe/Kayak Launch	1	LS	\$90,000	\$90,000
<b>LANDSCAPING</b>				
Landscape general	1	LS	\$100,000	\$100,000
Hardscape (promenade, parks)	1	LS	\$100,000	\$100,000
<b>UTILITIES</b>				
Stormwater System + Bioretention Ponds	1	LS	\$800,000	\$800,000
Sanitary System	1	LS	\$200,000	\$200,000
Water System	1	LS	\$150,000	\$150,000
Electrical System	1	LS	\$100,000	\$100,000
Gas	1	LS	\$50,000	\$50,000
<b>OTHER</b>				
Dry Stack Forklift	1	LS	\$250,000	\$250,000
Enviro Mitigation/LID measures	1	LS	\$250,000	\$250,000
Subtotal			\$11,356,000	
Escalation (3% /year for 2 years)			\$12,037,360	
15% Contingency			1.15	
<b>GRAND TOTAL</b>			<b>\$13,842,964</b>	

**Project: Shaping Our Shores**

**Jamestown Yacht Basin Marina Scenario 4 (OPTION 3 + Additional Retail)**

Summary of Probable Construction Costs :	Jamestown Yacht Basin Option 4			
DESCRIPTION	No. Units	Unit Meas.	Unit Cost	Total Cost
<b>PROJECT DESIGN (SOFT) COSTS</b>				
Boundary/Topographic Survey	1	LS	\$30,000	\$30,000
Design Fees	1	LS	\$600,000	\$600,000
Rezoning/SUP/BZA Costs	1	LS	\$20,000	\$20,000
Additional Archaeological Studies	1	LS	\$40,000	\$40,000
Traffic Impact Analysis	1	LS	\$25,000	\$25,000
Geotechnical Investigation	1	LS	\$30,000	\$30,000
Construction Bidding/Administration	1	LS	\$125,000	\$125,000
<b>DEMOLITION</b>				
Existing Surfaces/Entry road	1	LS	20,000	\$20,000
Demolition of Parking Areas	1	LS	20,000	\$20,000
Existing Buildings	1	LS	100,000	\$100,000
Existing Bulkhead, Dock, Slips	1	LS	250,000	\$250,000
<b>SITE DEVELOPMENT</b>				
Roads	1	LS	\$400,000	\$400,000
Paths	1	LS	\$40,000	\$40,000
Parking Lots (includes pervious pavers)	1	LS	\$950,000	\$950,000
Earthwork	1	LS	\$150,000	\$150,000
<b>PROPOSED BUILDINGS</b>				
Restaurant	10000	SF	\$120	\$1,200,000
Dry Stack Storage	30000	SF	\$50	\$1,500,000
Retail Shops	8000	SF	\$89	\$712,000
Marina Building	1200	SF	\$160	\$192,000
<b>MARINA</b>				
Dredging	20400	CY	\$35	\$714,000
Bulkhead	1800	LF	\$1,000	\$1,800,000
Docks	1	LS	\$300,000	\$300,000
Covered Wet Slips	3	LS	\$240,000	\$720,000
Dry Stack Launch/retrieve	1	LS	\$100,000	\$100,000
Boat Ramp	1	LS	\$220,000	\$220,000
Canoe/Kayak Launch	1	LS	\$90,000	\$90,000
<b>LANDSCAPING</b>				
Landscape general	1	LS	\$100,000	\$100,000
Hardscape (promenade, parks)	1	LS	\$100,000	\$100,000
<b>UTILITIES</b>				
Stormwater System + Bioretention Ponds	1	LS	\$850,000	\$850,000
Sanitary System	1	LS	\$200,000	\$200,000
Water System	1	LS	\$150,000	\$150,000
Electrical System	1	LS	\$100,000	\$100,000
Gas	1	LS	\$50,000	\$50,000
<b>OTHER</b>				
Dry Stack Forklift	1	LS	\$250,000	\$250,000
Enviro Mitigation/LID measures	1	LS	\$300,000	\$300,000
Subtotal			\$12,448,000	
Escalation (3% /year for 2 years)			\$13,194,880	
15% Contingency			1.15	
<b>GRAND TOTAL</b>			<b>\$15,174,112</b>	

**Project: Shaping Our Shores**

**Jamestown Yacht Basin Marina Scenario 5 ("Self Sustaining")**

Summary of Probable Construction Costs :	Jamestown Yacht Basin Option 5			
DESCRIPTION	No. Units	Unit Meas.	Unit Cost	Total Cost
<b>PROJECT DESIGN (SOFT) COSTS</b>				
Boundary/Topographic Survey	1	LS	\$30,000	\$30,000
Design Fees	1	LS	\$650,000	\$650,000
Rezoning/SUP/BZA Costs	1	LS	\$20,000	\$20,000
Additional Archaeological Studies	1	LS	\$40,000	\$40,000
Traffic Impact Analysis	1	LS	\$25,000	\$25,000
Geotechnical Investigation	1	LS	\$35,000	\$35,000
Construction Bidding/Administration	1	LS	\$150,000	\$150,000
<b>DEMOLITION</b>				
Existing Surfaces/Entry road	1	LS	20,000	\$20,000
Demolition of Parking Areas	1	LS	20,000	\$20,000
Existing Buildings	1	LS	100,000	\$100,000
Existing Bulkhead, Dock, Slips	1	LS	250,000	\$250,000
<b>SITE DEVELOPMENT</b>				
Roads	1	LS	\$400,000	\$400,000
Paths	1	LS	\$40,000	\$40,000
Parking Lots (includes pervious pavers)	1	LS	\$1,000,000	\$1,000,000
Earthwork	1	LS	\$150,000	\$150,000
<b>PROPOSED BUILDINGS</b>				
Restaurant	10000	SF	\$120	\$1,200,000
Dry Stack Storage	30000	SF	\$50	\$1,500,000
Retail Shops	18000	SF	\$89	\$1,602,000
Marina Building	1200	SF	\$160	\$192,000
<b>MARINA</b>				
Dredging	20400	CY	\$35	\$714,000
Bulkhead	1800	LF	\$1,000	\$1,800,000
Docks	1	LS	\$300,000	\$300,000
Covered Wet Slips	3	LS	\$240,000	\$720,000
Dry Stack Launch/retrieve	1	LS	\$100,000	\$100,000
Boat Ramp	1	LS	\$220,000	\$220,000
Canoe/Kayak Launch	1	LS	\$90,000	\$90,000
<b>LANDSCAPING</b>				
Landscape general	1	LS	\$100,000	\$100,000
Hardscape (promenade, parks)	1	LS	\$100,000	\$100,000
<b>UTILITIES</b>				
Stormwater System + Bioretention Basins	1	LS	\$1,000,000	\$1,000,000
Sanitary System	1	LS	\$200,000	\$200,000
Water System	1	LS	\$150,000	\$150,000
Electrical System	1	LS	\$100,000	\$100,000
Gas	1	LS	\$50,000	\$50,000
<b>OTHER</b>				
Dry Stack Forklift	1	LS	\$250,000	\$250,000
Enviro Mitigation/LID measures	1	LS	\$250,000	\$250,000
Subtotal			\$13,568,000	
Escalation (3% /year for 2 years)			\$14,382,080	
15% Contingency			1.15	
<b>GRAND TOTAL</b>			<b>\$16,539,392</b>	

**JAMESTOWN BEACH CAMPGROUND**

Task Description	Task Type	Reason	Timeframe	Priority within timeframe	Cost	Funding Source	Revenue Potential	How obtain	Notes
Demolition of 7 bldgs, pool & utilities	Demolition	Health & Safety	Immediate	1	\$ 96,000	CIP	No	Contract	Includes any required asbestos abatement
Secure office bldg and update security system	Renovation	Health & Safety	Immediate	2	\$ 15,000	CIP	No	In House/Contract	
					\$ 111,000				
Abandon wells	Demolition	Health & Safety	FY 10	1	\$ 10,000	CIP	No	Contract	
Renovate caretaker house	Renovation	Health & Safety	FY 10	2	\$ 25,000	CIP	Yes	In House/Contract	
Beach Restroom	Construction	Health & Safety, Increase Use	FY 10	3	\$ 33,000	CIP	Yes	In House/Contract	Precast reusable structure
Beach Clean-up and Accessibility Improvements	Renovation & Construction	Health & safety, Increase Use	FY 10	4	\$ 25,000	Bond proceeds	Yes	Contract	
Vermillion House & Gardens Renovation-Investigate public/private partnership opportunities	Renovation	Increase Use	FY 10	5	NA	NA	Yes	PPEA	Could also include Event Tents and Parking Lot
Ropes Course	Construction	Increase Use	FY 10	6	\$ 50,000	Public/Private Partnership (PPP)	Yes	MOU or PPEA	Partner w/4H Camp
					\$ 143,000				
Vermillion House Renovation with Partnership	Renovation	Health & Safety, Increase Use	FY 11	1	\$ 875,000	Public/Private Partnership (PPP)	Yes	PPEA	Includes outbuildings, garden restoration, historic interpretation including signage;
Event Tents and Parking lot with Partnership	Construction	MP New Facility	FY 11	2	\$ 880,000	PPP	Yes	PPEA	
					\$ 1,755,000				
Boundary/Topographic Survey	Planning/Design	Implement MPlan	FY 12	1	\$ 30,000	CIP or possibly Greenspace	No	Contract	
Rezoning/SUP/BZA	Planning/Design	Implement MPlan	FY 12	2	\$ 50,000	CIP or possibly Greenspace	No	In House/Contract	
Archeological Studies	Planning/Design	Implement MPlan	FY 12	3	\$ 50,000	CIP, grants or possibly Greenspace	No	Contract	Phase III
Traffic Impact Analysis	Planning/Design	Implement MPlan	FY 12	4	\$ 20,000	CIP or possibly Greenspace	No	Contract	Could be combined w/JYB
					\$ 150,000				
Parks Bond Issue	Financing	Fund MP improvements	FY 13	1		Bond	NA	NA	
Design for sewer, water & other utilities	Planning/Design	Implement MPlan	FY 13	2	\$ 125,000	Bond proceeds	No	Contract	
Signature Park Design	Planning/Design	Implement MPlan	FY 13	3	\$ 1,175,000	Bond proceeds	No	Contract	
Geotechnical Investigation	Planning/Design	Implement MPlan	FY 13	4	\$ 50,000	Bond proceeds	No	Contract	
Construction Administration	Planning/Design	Implement MPlan	FY 13	5	\$ 200,000	Bond proceeds	No	Contract	
Sewer, Water & other utility installation	Construction	Implement MPlan	FY 13	6	\$ 1,100,000	Bond proceeds	No	Contract	includes demo of misc utilities
Vermillion House Renovation	Renovation	Implement MPlan	FY 13	7	Same as above in FY 11	Bond proceeds or PPP	Yes	Contract	Includes outbuildings, garden restoration, historic interpretation including signage
Event Tents and Parking lot	Construction	MP New Facility	FY 13	8	Same as above in FY 11	Bond proceeds or PPP	Yes	PPEA	
					\$ 2,650,000				
Shoreline stabilization	Construction	Implement MPlan	FY 14	1	\$ 950,000	Grants	No	Contract	Living Shoreline Grant
Install Roads & Paths	Construction	MP New Facility	FY 14	2	\$ 970,000	Bond proceeds, possibly grants	No	Contract	includes demo of existing surfaces/entry road/pk lot, historic interpretation including signage and displays, potential VDOT Enhancement grant
Beach Pavilions & Boat area restroom	Construction	MP New Facility	FY 14	3	\$ 612,500	Bond proceeds, possibly grants	Yes	Contract	VMRC grant possible for restroom, deduct beach restroom if completed in FY 10
Left Turn Lane onto Jamestown Rd	Construction	Health & Safety	FY 14	4	\$ 80,000	Bond proceeds	No	Contract	If roundabout required, cost increases to \$500K
					\$ 2,612,500				
Maintenance Center	Construction	MP New Facility	FY 15	1	\$ 150,000	Bond proceeds	No	Contract	
Trailhead Restroom	Construction	MP New Facility	FY 15	2	\$ 125,000	Bond proceeds, possibly grants	No	Contract	VDOT Enhancement grant



JAMESTOWN YACHT BASIN-Less intense

Task Description	Task Type	Reason	Timeframe	Priority within timeframe	Cost	Funding Source	Revenue Potential	How obtain	Notes
Electrical upgrades to slips & bldgs-Phase 1	Renovation	Health & Safety	Immediate	1	\$ 57,500	FY 09 Operating	Yes	In House	
					\$ 57,500				
Investigate public/private partnership opps	Planning/Design	Implement Mplan	FY 10	1	NA	NA	Yes	PPEA	
Electrical upgrades to slips & bldgs-Phase 2	Renovation	Health & Safety	FY 10	2	\$ 50,000	Bond proceeds	Yes	In House	Master Marine lease expires @ end of FY 10
Bulkhead, dock, slip, floating dock repairs/maint & pumpout system	Renovation	Health & Safety	FY 10	3	\$ 107,000	Clean Vessel Act and/or Boating Infrastructure (BIG) grants, Bond proceeds	Yes	In House	Could demolish selected areas of docks and use temporary floating docks that can be reused
					\$ 157,000				
Project Design	Planning/Design	Implement MPlan	FY 11	1	\$ 500,000	Public/Private Partnership (PPP) or CIP	No	Contract/PPEA	
Boundary/Topo/Hydro Survey	Planning/Design	Implement MPlan	FY 11	2	\$ 30,000	PPP or CIP	No	Contract/PPEA	
Rezoning/SUP/BZA	Planning/Design	Implement MPlan	FY 11	3	\$ 20,000	PPP or CIP	No	Contract/PPEA	
Archeological Studies	Planning/Design	Implement MPlan	FY 11	4	\$ 40,000	PPP or CIP/grants?	No	Contract/PPEA	
Traffic Impact Analysis	Planning/Design	Implement MPlan	FY 11	5	\$ 25,000	PPP or CIP	No	Contract/PPEA	Could be combined w/JBC
Geotechnical investigation	Planning/Design	Implement MPlan	FY 11	6	\$ 25,000	PPP or CIP	No	Contract/PPEA	
					\$ 640,000				
Construction Administration	Planning/Design	Implement MPlan	FY 12	1	\$ 100,000	PPP or CIP	No	Contract/PPEA	
Demolition of road, parking, bldgs, bulkhead	Demolition	Implement MPlan	FY 12	2	\$ 390,000	PPP or CIP/grants	No	Contract/PPEA	BIG grant
Site work for roads, paths, parking	Construction	Implement MPlan	FY 12	3	\$ 1,340,000	PPP or CIP/grants	No	Contract/PPEA	VDOT Enhancement grant
Sewer, Water, Stormwater & other utility installation	Construction	Implement MPlan	FY 12	4	\$ 1,250,000	PPP or CIP	No	Contract/PPEA	
					\$ 3,080,000				
Dredging	Construction	Implement Mplan	FY 13	1	\$ 714,000	PPP or CIP	Yes	Regional coop or contract	
Boat Ramp	Construction	Implement Mplan	FY 13	2	\$ 220,000	PPP or CIP/BIG grant	Yes	Contract/PPEA	
Bulkhead	Construction	Implement Mplan	FY 13	3	\$ 1,800,000	PPP or CIP/BIG grant	Yes	Contract/PPEA	
Docks	Construction	Implement Mplan	FY 13	4	\$ 250,000	PPP or CIP/BIG grant	Yes	Contract/PPEA	Price assumes re-use of some floating docks
Covered Wet Slips	Construction	Implement Mplan	FY 13	5	\$ 720,000	PPP or CIP/BIG grant	Yes	Contract/PPEA	3 floating wet slips @ \$240,000 each
Marina Building	Construction	MP New Facility	Fy 13	6	\$ 192,000	PPP or CIP	Yes	Contract/PPEA	Upgraded per "Less Intense" rather than renovate existing
Dry Stack Building, Lift & Launch	Construction	MP New Facility	FY 13	7	\$ 1,350,000	PPP or CIP	Yes	Contract/PPEA	Number of spaces (and price) varies with Pro Forma option
Restaurant(s)	Construction	MP New Facility	FY 13	8	\$ 1,200,000	PPP	Yes	Contract/PPEA	1 medium or 2 small
Canoe/Kayak Launch	Construction	MP New Facility	FY 13	9	\$ 90,000	PPP or CIP	Yes	Contract/PPEA	
Landscaping & Hardscape	Construction	MP New Facility	FY 13	10	\$ 200,000	PPP or CIP	No	Contract/PPEA	
					\$ 6,736,000				
					\$ 10,670,500				

CHICKAHOMINY RIVERFRONT PARK

Task Description	Task Type	Reason	Timeframe	Priority within timeframe	Cost	Funding Source	Revenue Potential	How obtain	Notes
New septic, electrical & approx 30 full service RV campsite infrastructure improvements	Construction	Health & Safety, Increase use	Immediate	1	\$ 225,000	Bond proceeds	Yes	Contract	
					\$ 225,000				
Bathroom Renovation	Renovation	Health & Safety	FY 10	1	\$ 50,000	Bond proceeds	No	Contract	
					\$ 50,000				
Well & other utility installation	Construction	Health & Safety	FY 11	1	\$ 250,000	CIP	No	Contract	
Shoreline Stabilization-Phase 1	Construction	Health & Safety	FY 11	2	\$ 200,000	Grants	No		Living Shoreline grant, targeted @ most severe erosion up slope, tie to beach erosion, grading fronted by Living Shoreline measures
					\$ 450,000				
Boundary/Topographic Survey	Planning/Design	Implement MPlan	FY 12	1	\$ 30,000	CIP or possibly Greenspace	No	Contract	
Rezoning/SUP/BZA	Planning/Design	Implement MPlan	FY 12	2	\$ 30,000	CIP or possibly Greenspace	No	Contract	
Archeological Studies	Planning/Design	Implement MPlan	FY 12	3	\$ 20,000	CIP or possibly Greenspace	No	Contract	Phase II/III
Traffic Impact Analysis	Planning/Design	Implement MPlan	FY 12	4	\$ 15,000	CIP or possibly Greenspace	No	Contract	
					\$ 95,000				
Parks Bond Issue	Financing	Fund MP	FY 13	1		Bond	NA	NA	
Boat Storage Infrastructure	Construction	Implement Mplan	FY 13	2	\$ 25,000	FY 13 Operating	Yes	Contract	
Design for Master Plan Implementation	Planning/Design	Implement Mplan	FY 13	3	\$ 800,000	Bond proceeds	No	Contract	
Geotechnical Investigation	Planning/Design	Implement Mplan	FY 13	4	\$ 20,000	Bond proceeds	No	Contract	
Construction Administration	Planning/Design	Implement Mplan	FY 13	5	\$ 100,000	Bond proceeds	No	Contract	
Picnic Pavilions	Construction	MP New Facility	FY 13	6	\$ 264,000	Bond proceeds	Yes	Contract	4 large, 18 small
Boat Ramp Parking	Construction	MP New Facility	FY 13	7	\$ 200,000	Bond proceeds	Yes	Contract	
Primitive Campsite Improvements	Construction	Implement Mplan	FY 13	8	\$ 40,000	Bond proceeds	Yes	Contract	
Design Rowing Facility, Floating Dock & Canoe/Kayak Launch	Planning/Design	MP New Facility	FY 13	9	\$ 20,000	Public/Private Partnership (PPP)	Yes	PPEA/Contract	Timing dependent on fund raising success of potential partner groups, potential to include canoe/kayak launch in PPP
					\$ 1,469,000				
Utility installation	Construction	Implement MPlan	FY 14	1	\$ 450,000	Bond proceeds	No	Contract	
Rowing Facility, Floating Dock & Canoe/Kayak Launch	Construction	MP New Facility	FY 14	2	\$ 170,000	PPP	Yes	PPEA/Contract	Timing dependent on fund raising success of potential partner groups, potential to include canoe/kayak launch in PPP
Shoreline Stabilization-Phase 2	Construction	Implement MPlan	FY 14	3	\$ 300,000	Grants	No	Contract	Living Shoreline grant-Phase 2 focusing on beach amenities
					\$ 920,000				
Demolition	Demolition	Implement MPlan	FY 15	1	\$ 105,000	Bond proceeds	No	Contract	
Bathhouses	Construction	MP New Facility	FY 15	2	\$ 200,000	Grants or Bond proceeds	No	Contract	2 bathhouses-grants possible if restrooms linked to fishing areas, Boating Infrastructure Grant, VMRC grant
Boat Docks	Construction	MP New Facility	FY 15	3	\$ 500,000	Grants or Bond proceeds	Yes	Contract	Second canoe/kayak launch may be removed if Gordon's Creek site serves needs successfully
Waterfront Concession & Campground Store	Construction	MP New Facility	FY 15	4	\$ 250,000	Grants or Bond proceeds	Yes	Contract	Boating Infrastructure Grant, VMRC for restrooms
RV campsites	Construction	MP New Facility	FY 15	5	\$ 250,000	Bond proceeds	Yes	Contract	50 out of 100 sites
					\$ 1,305,000				
Roads & Paths	Construction	MP New Facility	FY 16	1	\$ 660,000	Grants or Bond proceeds	No	Contract	VDOT Enhancement grants/trails & bikeways grants
Landscaping-General	Construction	Implement Mplan	FY 16	2	\$ 100,000	Bond proceeds	No	Contract	
Pool Area Improvements	Construction	Implement Mplan	FY 16	3	\$ 100,000	Grants or Bond proceeds	Yes	Contract	
Cabins-Phase 1	Construction	MP New Facility	FY 16	4	\$ 600,000	Bond proceeds	Yes	Contract	1 pod of 10
					\$ 1,460,000				





MEMORANDUM

DATE: May 26, 2009  
TO: The Board of Supervisors  
FROM: Needham S. Cheely, III, Director of Parks and Recreation  
SUBJECT: Adoption of the 2009 Parks and Recreation Master Plan

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The County adopted the last Parks and Recreation Master Plan in 1993 and since then the County has moved forward on many of the initiatives that were outlined in that plan. Some of the most significant include the waterfront parks, Freedom Park, and the Warhill Sports Complex. The citizens have continued to demonstrate their support of park facilities and programs through the successful passage of two bond referendums in 1995 and 2005.

Beginning in September 2006 and continuing through October 2007, staff and a national consulting firm held four public meetings, completed several focus group meetings with local recreation and sports related organizations, and provided an online survey for County residents. Virginia Tech also completed a County-wide phone survey to assist in collecting information regarding citizens' opinions on parks and recreation programs in James City County. Staff and the consultant also utilized data from Comprehensive Plan surveys and benchmarking with other communities and National Standards in the preparation of the Draft Plan.


The Draft Parks and Recreation Master Plan has been posted online for the past two months for citizen review and was approved by the Parks and Recreation Advisory Commission on April 15, 2009. The Commission and staff recommend the following amendments to the Draft Plan that was proposed to the Board at its March 24, 2009, work session.

1. Eliminate section 4.1.1.1 Neighborhood Park on page 36.
  - a. The County does not develop neighborhood parks, those are developed and operated by neighborhoods and are addressed in the Proffer Guidelines included in the appendix.
  - b. This is a staff recommendation.
2. Appendix No. 1, Vision Strategy Matrix, add the category: RESPONSIBLE WORK UNIT.
  - a. Parks and Recreation Advisory Commission recommended this change.
  - b. Staff is comfortable with the addition or leave as is.
3. Appendix No. 4, Proffer Guidelines, the following changes have been made:
  - a. Basketball court standard changed to one court/2,500 people.
  - b. Neighborhood Park standard changed to 1.5 acres/1,000 people.

Staff recommends approval of the attached resolution adopting the 2009 Parks and Recreation Master Plan.

  
\_\_\_\_\_  
Needham S. Cheely, III

CONCUR:

  
\_\_\_\_\_  
Barbara E. Watson

NC/nb  
AdptMstrPlan\_mem

Attachment

**RESOLUTION**

**ADOPTION OF THE 2009 PARKS AND RECREATION MASTER PLAN**

WHEREAS, the existing Parks and Recreation Master Plan was previously developed and adopted in 1993; and

WHEREAS, the plan has been updated several times as part of the James City County Comprehensive Plan process; and

WHEREAS, the 2009 Parks and Recreation Master Plan development process began in November of 2007 and includes several public meetings, three surveys, several focus group meetings and benchmarking and assistance from a national consulting firm, and

WHEREAS; the Master Plan is a planning document that is intended to guide and assist citizens, staff, commissions, and the Board of Supervisors in making future, planning, funding, management and administrative decisions regarding parks and recreation programs and facilities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the 2009 Parks and Recreation Master Plan.

\_\_\_\_\_  
James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of May, 2009.

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